M. L.

GENEALOGY COLLECTION

ALLEN COUNTY PUBLIC LIBRARY
3 1833 01105 8614

Digitized by the Internet Archive
in 2015

https://archive.org/details/barnstabletownre00swif

153/201

No. 105.

LIBRARY

HISTORY & GENEALOGY

BATNEY'S BOOK

TOWN RECORDS

1539291

BARNSTABLE TOWN RECORDS

Rebound in June, 1847, per order of the Selectmen—Nathaniel Hinckley, Daniel Basset, Thomas Stetson, Jr.—Ferdinand G. Kelley, town clerk.

The 14th of Oct., 1649:

Ordered by ye Inhabitants That Henry Cob, Isaac Robinson, Thomas Lothrop and Thomas Hinckley, do peruse ye old Town Book and record such material useful orders, as they find therein into this book and ye rest of ye old book to be cancelled by them.

At a eeting of ye inhabitants of the tow of Barnstable June 1736—Then voted that ye old Town Book as to ye articles contained in ye same to be of future use, be transcribed by ye Town Clerk into a new Book, to be procured by him with as much speed as conveniently may.

Barnstable Town Book Anno 1736

Bought pr. David Crocker, Town Clerk. L. S. pretrium 3 12

This 18th of Feb. 1658, at a meeting of Thomas Hinckley, Henry Cob, Isaac Robinson and Thomas Lothrop, for perusing ye old town book and recording such material, useful orders as they find therein into this Town Book cancelling ye rest according to an order bearing date Octr 15, 1649 in perusing whereof, they find as followeth, viz,

Imp, A grant of a great lot to Wm Dimock, &c, also an order bearing date 13th Jany 1641, Impowering Thomas Lothrop and Barnard Lombarde to be Land Measurers, to lay out all ye lands which ye several Inhabitants are to have laid out and to bound them with stakes [illegible] and to have 1d per acre for ye meadow land and 2d per acre for ye upland ye parties whose land is to be laid out being to accompany ye measurers. Also, under date ye. 2nd day 3d mo 1640 that no inhabitant within this Plantation shall make sale of his house or any of his land, before he hath offered it to ye Inhabitants and in case ye Plantation buy it they to provide a purchaser whom ye town shall approve of and if ye Town do not provide a chapman in two months, he may sell to whom he will"

Also, an order bearing date ye 8th of January 1643 that ye Commons shall belong to ye present Inhabitants and to whom ye town shall see fit, which Inhabitants then on record were as followeth on ye next leafe of this book.

The 25th July 1662, ordered that Thomas Hinckley Eustaba Howard Lombarde, Thomas Hall, Thomas Lothrop are empowered by ye Town to attend ye coming of Mr Allen

and Major Winslow about ye grant of our Enlargement at South Sea to make provision for them and to act with them as ye matter may require and the Town to bear ye charges thereof as also to make ye best plea they can in any controversy that may arise between the Indians and this town.

At a town meeting the 3d of October 1662

ordered and agreed by ye town that the sones of all ye present inhabitants shall successively be received as Inhabitants and Allowed equal Town Privileges In the Comonions and such other Privileges as belong to the present Inhabitants as a Township at ye day of their marriage or the age of Twenty four years which shall happen first and it is further agreed that these following be admitted Inhabitants,

John Howland
James Cob
Samll Fuller
son of Samll Fuller Sr
Daniel Stueart
Jabez Lumbard
Edward Lewes
Thomas Lumbard
Thomas Ewer
John Sergeant
Samll Fuller
son of Lefft Fuller
Joseph Benjamin
John Lewes
John Crocker
Caleb Lumbert
Samll Bacon
James Hamblin
Samll Hicks
Edward Colemian
Samll Norman
Nicholas Bonam

1666

Dolar Davis
Jedediah Lumbart
Samll Annable
Nathaniel Goodspeed
Samll Hinkley
Joseph Hallet
Meleziah Lothrop
John Phinney
——— Otis
John Fuller

Ye 25 of June 1667. ordered by ye inhabitants yt Bernard Lumbard Thomas Lothrop, Thomas Hinkley & John Smith be authorized by ye Town with full power to act in issuring ye Difference lying in Independence between this Town and the Indians at South Sea, either by Referring it to two Magistrates or otherwise as in yr best discretion they conceive may be most beneficial to ye Town and ye Town to bear ye charges thereof

Whereas Nathaniel Bacon, Thomas Huckins, Thomas Lewes & Nicholas Davis upon an agreement between them and Yarmouth men about ye running ye line at sea between them and this town made choice of Sr Thomas Prince Esq. Richard Hinckley of Eastham & Richard Cloadwell & Richard Fourne of Sandwich to issue ye sd difference of the line, the Town doth approve ye same and do trust ye aforesd men viz: Nathaniel

Bacon Sr, to procure it done.

23d Feb 1662, at a Town meeting Ordered that Nathaniel Bacon & Tristram Hull shall joyn with those whom ye Court shall appoynt for ye purchasing Yannos Lands for Commons for ye Town & to take ye First oppertunity they can for the effecting thereof & ye Town to pay ye purchase

The names of ye Inhabitants of Barnstable

Abraham Blish
Thomas Shane
John Crocker
Doller Davis
William Betts
Robert Sherley
Thomas Hatch
John Cooper
Austin Bearse
William Crocker
Henry Bourn
Henry Coggin
Laurence Litchfield
James Hamblin
James Cudworth
Thomas Hinkley
Isaac Robinson
Samll Jackson
Thomas Allin
Mr John Mayo
Mr John Barsley
John Casly
William Casly
Robert Lynnel
Thomas Lothrop
Thomas Lumbard
John Hall (or Hull)
Henry Rowley
Isaac Nells
John Smith
George Lewes
Edward FittsRandle
Bernard Lumbarde
Roger Goodspeed
Henry Cob
Thomas Huckens
John Scudder
Samuel Mayo
Nathaniel Bacon
Richard Foxwell
Thomas Dimocke
Samll Hinkley

Also, it was farther ordered that the Commons were Intayled to ye Howse Lotts.

pr nos.

Thomas Hinkley
Henry Cob
Isaac Robinson
Thomas Lothrop

also an order bearing date 29th 1st month 1646. It is ordered and agreed by ye general consent of ye Inhabitants, that ye lands within this plantation, both meddows and [illegible] shall be divided by this rule viz. one third part to every house Lot [illegible]. One third to ye number of [illegible] are immovable and ye other third according to men's estates

August 26, 1644.

Witness these presents that I, Serjant, an Indian, now dwelling at South Sea, do sell and make over unto ye Town of Barnstable all ye sd land an meddow. Lying betwixt ye [illegible] (of Sandwich?) and ye bounds of Poxit, another Indian, in consideration

tion of four coats & three axes in witness whereof I have hereunto set my hand ye day and year above written.

The mark of Serunk.
Witness
Thomas Dimnock
The Mark of (A) Anthony Annable.
Henry Cob
John Smith
Thomas Allen
Laureuce Willis.

This is a true coppy taken out of ye original deed. Compared and entered, Ita: Attest Thos Hinkley, Scriba & Assistt--

At a town meeting ye 15th of May 1655, ordered by ye Inhabitants yt their Deputies with such other Townsmen as go to Court, shall have power to commit ye issuing of ye Difference Depending between themselves and ye Indians as also the setling of ye bounds of yr. lands to yr. Determination of Capt Standish or Mr, Hatherly.

7th March 1647, Thomas Dimock & Isaac Robinson for town, concluded an agreement with Nepoyetum, "who rests himself fully satisfied for sd land for and in consideration of their making him three score rod of fence in ye Range of ye General Fence which goeth to Stony Cove near unto a certain parcel of land which the s'd Nepoyetum possesseth, and of two coats & one Day's plowing in breaking up of Ground already in hand paid"

Witness Thomas Hinkley
Mark W Tanominous

"An Agreement made this 17th day of May 1648, between Panpmaunuck with ye consent of his brother and all ye rest of his Associates on one part & Capt Myles Standish In ye behalf of ye Inhabitants of Barnstable on ye other part as followeth viz, "That Paupunmuck has sold all his lands in El "facing upon ye Sea commonly called ye South Sea hutting home" bounded by Yanno's land Eastward, running westerly "a little beyond a brook called ye first Herring Brook," Northward bounded by Nepoyetums Sequnnucks land excepting thirty acres reserved for himself, his brother and Associates for two brass kettles, one bushel of Indian corn, and one half part of so much fence as will fence in the reserved thirty acres, reserving also the right freely to hunt in the lands sold, with certain restrictions as to trapping so as not to hurt cattle thereby. Myles Standish signs the deed and Thomas Hinckley witnesses it,

By subsequent agreement, Paupmunnucke waives the stipulation to build half the fence and the bushel of Indian Corn & agrees to receive instead "one great brass kettle of seven spans in wideness round about & one broad" to be paid within the twelvemonth He also acknowledges the westerly bounds to be "half way to Sockonefset Town, where the place where the Indians now inhabit

& reaching across over the sea & taking in a part of Nope Island where ye plantation now is."
The execution of this instrument is as follows—
hands

The Mark of Paupmunnucke
Witness Henry Cob
Jonathan Hatch Isaac Robinson

"An agreement made this 15th of May 1658. In ye presence and with ye help of Mr.John Alden &Capt. Josias Winslow (appointed thereto by ye. Court touching a difference between ye inhabitants of Barnstable & Paupmunnucke with the other Indians his associates, about certain lands purchased of ye said Indians In former contracts bearing Date ye 17th of May 1648 & ye 7th of February 1648 viz That the sd. Paupmunnucke Moash Wampum and the rest of their Associates, have fully and absolutely resigned up all their right title & clayme which any or all of them have or can make for themselves or any others their associates In all and every part of those lands exprest in any of sd former contracts excepting the thirty acres of land expressed in ye former contract dearing date ye 17th of May 16 1648 lying at a neck called Coiaihoiset, and all the lands lying to ye Westward of Coituite River & the Westward of a Northwest line Running from ye Easterly side of ye next plainting field to Santuite Pond lying on ye Easterly side of said River unto ye Bounds between Sandwich and Barnstable, unto the sd Inhabitants of Barnstable to their proper use and behoof forever against any claimes by them or any other Indians whatsoever; also it is farther agreed that it shall be free for either Indians or English to fish such Alewives for their use as they shall take in sd. River. the sd. Paupmumucke and his associates do also hereby acknowledge themselves fully and quietly satisfied & contented forever without any farther trouble, binding themselves to keep the former conditions about their setting trapps and all ye promises aforesd In witness whereof, they have hereunto set their hands

The mark of Paupmunnucke
The mark of Moash
The mark of Wampum
Witness John Alden
Josias Winslow
Charles is my name

This 21 of May 1658. the line between us and ye Indians aforesd. was accordingly set from a pine tree at the East side of sd aforesd field, only making a set of Northwestward to a bound markt tree, leaving the skirts of Good Land about ye sd Coituite alias Santuite Ponds to ye Indians according to yr. Desire. Richard Bourn of Sandwich being present according to ye desire of Mr. John Alden & Capt Josias Winslow.

Ita Attest Thomas Hinkley
Scribe

"Thomas Hinkley

On ye 19th of July 1644 Yanton, Sa-

them sold to Nathaniel Bacon & Tristram Hull in ye behalf and for ye use of ye town of Barnstable all that his tract of land at South sea lying all that his tract of land at South sea lying within the precincts of Barnstable, for the use of the town, bounded Easterly by ye bounds of Yarmouth, Northerly by ye lands that was bought of Nepoyetum & Westerly, by ye lands bought of Paupmumucke, excepting the skirts of good land about the Cove, bounded" &c. (excepting what he hath already given to Nicholas Davis) & excepting only liberty by him given to any of ye inhabitants of Barnstable if their occasions require to set up any warehouse or warehouses or Docks in any convenient place about ye head of ye Cove with free egress and regress thereunto" — "in consideration of twenty pounds & two small breeches to me in hand pd. by Sd. Tristram Hull, with warrantee against any Indians whatsoever Laying any lawful claim thereunto."

The Mark of Yanno

Witness

Thomas Walley Junr

The mark of (H) Indian Will

In presence of Thomas Hinkley Asstn

Sept. 27th 1680, John Yauno, Indian of Gayhead at Nope Island, eldest son and heir of Yarmo Sachem of ye South Sea in Barnstable late deceased, bargained & sold to Thomas Hinckley Senior for 28 shillings received of him the tract of land sold by his father to the agents of the town of Barnstable Barnstable for the use of the town, in case they should repay the purchase money and charge thereof to him the said, Thomas Hinkley "signed sealed & D.D.

mark

John Yanno

In presence of

Joseph Glover

Thomas Hinkley Junr

Joseph Mattock, Interpreter

Oct. 10th 1680, Thomas Hinkley being fully satisfied, released the above premises to the Town of Barnstable

Ita Attest David Crocker, Town Clerk.

By deed of Oct. 11th 1666, John Quason of Monymoict claiming to have, by "testimony of certain Indians," "cleared his claim (as it is said) to certain lands Lying and being in the common field in ye precincts of Barnstable" by deed granted and confirmed to Kenecompsit that tract of the said land which was given his father by Nepoytum, and to the town of Barnstable, all his right and title in the lands sold them by Nepoyetum, and also freely gave and granted to Aquannucton, the wife of Indian John, sixteen acres of the same tract, reserving to himself only the residue of said lands, being about 34 acres which was left by Nepoyetum indisposed of being all the land in Banistable, he, Quason in any ways claimed.

The mark of John Quason

"Witness Francis Saugamore of Nausiat
Sachemus of Saqutuckitt
In presence of me Thomas Hinkley. Assistant

"Memorandum

That it afterwards appeared that ye sd. John Quason was a Usurper and had no Right to yn Lande above mentioned & did make satisfaction to Joseph Hollit & some others to whom he sold some of those Lands, the said Lands of right belonging unto ye aforementioned Aquanneton, alias Sarah, Daughter and heir of sd Nepoyetum

Ita attest preedict,
Thomas Hinkley

"This 26th of June 1654, Henry Cob, Abraham Blush, John Phinney, William Crocker & Nathaniel Bacon were chosen by ye Town for Examining evidence of land according to Court order 10 of June 1654

"8th of January 1657

Whereas the Inhabitants of this town took into yr. Serious Consideration the great trouble and confusion that hereafter may ensue for want of recording such sundry parcel or parcels of land, given and granted to certain particular men, within this Township, for prevention of which foresd Trouble & Confusion the sd Inhabitants have therefore at a full town meeting ye day and year above written, with full consent ordered and agreed as followeth viz. that whatsoever parcel or parcels of lands any men hath & is at present possessed with, within this township the bounds of sd. Lands being orderlickly Declared in the Town Meeting and Approved shall be Recorded in the Town Book to be ye Lands of each possessor thereof & do by these presents Order and Declare, that the Record thereof as aforesd to be sufficient security to claim hold and Retain full and lawful Right, title and Interest to them and their heirs for ever of all and every such parcel or parcels of lands possessed by them and Recorded as aforesaid"

P.23 11th of Feb, 1674. "To John Otis, a parcel of Marsh" was confirmed by the Examiners of titles "Men appointed by ye town to Examine evidences of Mens lands to be Recorded"—

p. 25 "Ordered that Thomas Hinckley, Mr. Gorham (John) John [illegible] and James Lewes or ye major part of them be Impowered to lay out a certain tract of land of Kinnecomecut or whosoever else shall [illegible] them to be the true proprietor [illegible] of the said land lying at South [illegible] between Yannoth line & the lands heretofore of Nicholas Davis & [illegible] Lye for ye Towns Commons [illegible] Town, being to pay ye purchase thereof at a town meeting [illegible] of Nov. 1635 (?)

Probably error in copying date as on Oct 13 1675, Kinnecomecut Indian of Mattakeese, in consideration of five pounds paid him by [illegible] named persons, as agents for the town of Barnstable a tract at South

sea, bounded on the East by the line of Yarmouth, south by Yanno's Harbour, west by Nicholas Davis' land and north by land Yanno sold to Barnstable.

acknowledged before me Thomas Hinkley assistant

Kenecompsit
his
mark
(B)

"In presence of
Joseph Lothrop
Samll Hinkley

At same date before same personally appeared Indian Ned of Saquetucket, & acknowledged relinquishing all his right, title and claim in & unto sd. tract of land.

Many of first settlers sign by a mark—Thos Share, George Lewes, Joshua Lumberd

p.32

June 30, 1685. Committees of Barnstable & Sandwich settled "center Bounds", beginning at "a pretty bigg Stone, set with one end in the ground"

April 20,1668 Kenecompsit, with consent and approbation of Thomas Hinkley & Nathaniel Bacon, appointed thereunto by authority of court, sold James Lewes blacksmith, Edward Lewes & John Lewes a piece of land at Mattakeese containing about 7 acres.

Oct 20, 1777. Monohoo, Indian sells Rev. Thomas about 3 acres of land, p. 36 acknowledged before T. H. assistant who seems to have done considerably conveyancing

At a town meeting on ye 5th of April 1670

"It is ordered by ye Town that all ye common meddow as yet undisposed within this township shall: from time to time, perpetually be & lye for common to and for ye common use of the present inhabitants whose names are hereunder recorded to ye sons of all ye aforementioned inhabitants successively as they shall grow qualified According to a former order bearing date 3d of October1662 and to ye successors of such inhabitants as aforesd who shall purchase and buy out ye whole right of such respective Inhabitants The Inhabitants that are on record as aforesaid, are as followeth, viz,

(1670)
Thomas Hinkley
Mr Nathl Bacon
Mr Thomas Walley Sr
Mr Henry Cob
Mr John Chipman
Capt. Matthew Fuller
Lieut Joseph Lothrop
Ensben Bernard Lumbart
Mr John Gorum
Anthony Annable
John Cooper
Henry Bourn
Antipas Lewes
Thomas Share
Robert Sherley
James Hamlin Senr
Abraham Bliss
William Crocker
Mr. Thomas Allin.

William Casly
Thomas Lothrop.
Roger Goodspeed
Thomas Huckens
John Scudder
Mr Thomas Dexter
John Davis
John Thompson
Ralph Jones
Henry Taylor
Robert Davis
Nicholas Davis
Robert Parker
Samll Fuller Senr
Peter Blossom
Moses Rowley
John Phinney Sr
Thomas Lewes
George Lewes
Joshua Lumbart Sr
James Lewes
David Linnell
John Jenkins
Mr William Serjeant
Barnabas Lothrop
William Dexter
James Claghorn
John Howland
Edward Lewes
James Hamlin Jr
James Cob
John Crocker
Samll., son of Samll
Fuller Samll son of Capt Fuller
Edward Coleman
Thomas Lumbert
Jabez Lumbert
John Lewes
Caleb Lumbart
Samuel Norman

Shobal Dimock
Nathl FittsRandle
Dollar Davis
Saml Hinckley
John Phinney Jr
Nathll Goodspeed
Jedediah Lumbard
Samuel Allen
Joseph Hallet
John Otis
Samuel Annable
John Fuller
Melatiah Lothrop
William Troop
Samuel Hous
Edward Taylor
Mark Ridley
John Hinkley
John Hamlin
Job Crocker
Josiah Crocker
John Goodspeed
Mrs Lothrop wid
Widow Lewes
Widdow Lumbard
The heirs of Mr Henry Bursley, Decd
23 Feb.1670
John Huckens
Nathl Bacon
Bartholomew Hamblin
Benjamin Lumbart
14th May 1674
Isaac Chapman
(admitted in his Grandfather Wells
Right)
16th July 1674, were entered
Joseph Bilish
James Gorum
John Bursley
Eleazer Hamlin

ap. John Allyn
ohn Davis Jr
ohn Gorham
May 1677
amll Hinckley Junr
oseph Berse
enjamin Goodspeed
ec. 1678
ohn Fuller Junr
homas Huckens Junr
rael Hamlin
oseph Crocker
leazer Cob
amil Sergeant
amuel Bryant
ichard Childs
May 1687
ohn Barker
Admitted a Townsman
August
lyn Nichols
eazer Crocker
oseph Bodfish
2 May 1682
homas Hinkley
benezer Goodspeed
3 May 1683. Samuel Cob & Jonaan Cob admitted Townsmen
4 Feb'y 1683 Mr Jonathan Russell, eremiah Bacon, Benjamin Lothrop, ames Bearse & James Coleman were dmitted Townsmen
Com. appointed to agree with ohn Davis Jr about his piece of wamp by ye Highway for a water-g place for the neighboring cattle, y giving him other land in exhange not above four or five acres, oller Davis admitted Townsman. 684 (Aug. 7)

7th Jan. 1684 John Glover do
13th May 1685, Samll Parker & Increase Clap do
12 May 1687, Jedediah Jones, Samuel Lothrop, John Bacon, Benjamin Hinckley, Samll Baker & Matthew Fuller do.
May 12 1691 Mr Samuel Annable, John Lewes, Samuel Allen do & Mr Samuel Baker, Jonathan Crocker, Alkin Nichols & Samuel Annable propounded freemen
May 29, 1689 James Pain, Samll Lewes, Eleazer Lewes, James Lewes, John Phinney, Edward Coleman, John Crocker, Thomas Jenkins, Barnabas Lothrop, ye son of Barnabas Lothrop, Thomas Fuller, Henry Cob, Thomas Allyn, Joseph Smith, were admitted Townsmen.
Aug 1689, Thomas Dimock, Josiah Davis, Joseph Davis ye son of Robert Davis, and Joshua Lumbert Junr do
Aug 26 do Elisha Pain & Jabez Fuller do
Feb 19, 1689-90 John Dimmuck & Thomas Lumbard do
May 15 1690 Benjn Davis propounded to be a Townsman and by silence admitted thereto
Sept 30 1691 Ebenezer Lewis
Jan 14. 1691, John Lothrop, son of Mr Barnabas Lothrop, Thomas Blossom, James Hamlin, Robert Clapham, Ebenezer Hamlin, Stephen Dexter, Shubal Gorham, Phillips Dexter, & Thomas Parker, admitted Townsmen
Feb 4. Bernard Lumbart, Joseph

Phinney, Jedediah Lumbart, Raly Jones & Jonathan Linnel, do

March 4, 1691, Isaac Taylor, Matthew Jones, John Dunham, John Jssum, Shobal Goreham, do.

April 6, 1692, John Jenkins accepted do.

Oct. 28, 1696 "Ebenezer Phinney & Benjamin Lewes admitted Townsmaa"

Oct 30 "Thomas Phinney do.

March 14, 1694-5 Thomas Phinny Jonathan Hamlin, & Thomas Bump do

Aprli 11, 1695. Shubal Claghorn, Thomas Crocker, Samll Crocker & Hope Lothrop admitted Townsmen

John Bodfish Jr. Benjamin Lumbart, Samll Phinney, Thomas Crocker (son of Dea Job Crocker), Benjamin Fuller, Samuel Hamlin, Shobal Howland, John Howland, Nathll Bacon, entered Townsmen 17th of May 1700

Thomas Lothrop (son of Capt Joseph Lothrop) Joseph Bolfish Jr, Jonathan Lewes (son of George Lewis), Benjamin Bacon, Enatred Townsman 12th of May 1702.

Isaac Hamlin do. 28th of May 1702

James Gorham & John Crocker (son of Dea Job Crocker) do. 1704

Dec. 16th 1702, Joseph Nichols admitted Townsman

Benjamin Goodspeed, son of Eben Goodspeed do.

Aug 13, 1663 (p.130),"Mr. Thomas Walley was voted to be accepted as a townsman here amongst ye"

Six acres of ground in the Commons granted him also, about 4 acres of "marsh meddow in some convenient place"

16th December 1702, Joseph Nichols admitted Townsman: Benj Goodspeed, son of Eben Goodspeed do

At a town meeting ye 12th of May 1682, Ensign Bernard Lombard, Nathl Bacon, James Cob were made choice of by ye town to take notice of ye. bounds between Yarmouth and this Town

and Elder John Chipman & Ensign John Howland & Serjeant John Fuller, to take of ye bounds between Sandwich and this Town

p 50 Com. appointed about water or wind mill 1684 wh. Gov. Hinckley Mr Barnabas Lothrop, Jeremiah Bacon & Mr Samll Allen encouraged to build ie "a substantial Windmill and set her up in some convenient place" p.57 Jan 19, 1686 projected water mill on Cobb's Hill or "Cold M[illegible] Hill

24th June 1785. Barnabas Lothrop Inpowered to act as their agent in shecting ye answer of ye Town's sentiment concerning Jones River Bridge

Gov Hinckley and the same to act as the Town's agents for ye searching of ye Court Records for ye finding out ye Court grant of ye Township "& try to rectify any defect in the same.

Feb. 11 1686-7 the whole expense of the mill left altogether to direction of Mr Barnabas Lothrop, Mr. Samuel Allin (p. 52)

do appears Joseph Lothrop was lerk-1686

Feb.1,1687 to grant 8 or 10 acres f upland at ye River by John Goodspeed's & ye benefit of ye stream if e put up a fulling mill & full & dress ye Town's cloth at reasonable rices. (see p. 59 for undertakers f)

March & April, 1686 County Road. rom Sandwich to Yarmouth was laid ut by a jury of 16 men--40 feet vide

p. 55 Covenant of wind mill Com. vith Thomas Pain Senr of Eastham o build one--Feb.16,1687

June 1,1688. John Gorham, Jabez Lumbert & Nathaniel Bacon chosen o be land measurers.

May 29, 1689, the Town voted that ll ye common meddow belonging to e Town be divided to them whom f right it doth belong.

June 1, 1688 Town granted to Lieut ames Lewes & Nathaniel Bacon all he Coman thatch: goose grass or sedge yt. grows upon ye flats below ye beech between Huckens Creek & Stony Cove Creek, so long as they maintain a sufficient pound for the owns use

Feb19 1689-90. voted to chuse a Com. of seven men to determine to whom of right ye commons are to be divided to

March 16,1689. Bernard Lumbart, aged about 82, deposed that abt. 20 yrs last past Mr.Hinkley, Mr. Baron & Mr Gorham were appointed by the Town to sell lands in Bl belonging to Indian owners

Feb. 25, 1690-1, voted to sell 40 or 50 pounds worth of the Commons towards defraying expenses of sending to England for a charter, & Naniel Bacon, Lieut James Lewis, Capt Lothrop, Deacon Joh Crocker, Mr John Otis, Mr Samll Hinkley Senr & Lieut John Howland a Com. "to effect the end aforesd"

March 11 , confirmed that action -- "& voted to venture about thirty pounds, for ye end aforesaid if there were likelihood to effect ye same."

"At a Town Meeting Jan.14, 1651, named for ye purpose "it was agreed that seven men be now chosen as a committee to determine" "to whom and how much every mans right" in the common meddow is:" "and such of ye Inhabitants as judge themselves injured by such determination they shall have liberty to choose one indifferent man and ye sd Committee another & they to choose a third it they two agree not to make a final determination of such right claimed by them or to have their liberty to try their title at law: ye sd Committee to have Respect in their Determination to Common Equity & former orders of this Town as much as may be."

"The above written was chosen a clear vote in ye affirmative & their was chosen Governour Hinkley, Capt Bertlam, Mr.John Otis, Samll Hinkley, Samll Chipman, Eleazer Crocker ---Mr.Barnabas Lothrop and John Hinkley had each of them thirteen

votes apiece, so that ye two last men had an equal vote: at last there did appear two men that had not voted as was said, which when they had voted, there fell two votes more to John Hinkley, so with them two votes he had fifteen votes.

Feb.4 1691. "Voted by ye Town to choose a new Committee of nine men & they or ye major part of them to determine who have right in ye common marsh or meddow of this Town & what & how much shall be each man's just rights therein according to ye former order that ye Committee of seven men were to do, bearing date Jan 14 1691

The men were chosen for ye new Committee, their names are as followeth viz. Govemour Hinkley, Ensign Shobal Dimock, Capt John Goreham, Samll Hinkley Senr, Melatiah Lothrop, Mr.Barnabas Lothrop, Mr. John Otis & Lieut James Lewes & in ye choice of committee th re was Lieut. John Howland, Edw rd Lewes and Eleazer Crocker that had an equal vote, being just 26 votes apiece & the Town voted them all to joyn with ye eight men before named to make up ye sd committee & so all ye eleven men above mentioned to act as a committee to accomplish ye end aforesaid"

March 4,1691 voted that Josias Davis & Henry Cob, or any body else should have liberty to purchase lands of ye Indians in ye Common Field"

June 1, 1692 Town voted to sell John Phinney Jun, an acre of land adjoining to ye land he bought of ye Town before at ye same price pr acre as that was, for his convenience in building; but several persons did protest against it & much dissatisfied about.

It was put to vote for Mr.Russell and Bartholomew Hamlin to have three acres of land by ye land of Allin Nichols, but very few hands lift up & ye contrary vote being called no hands lift up as I saw.

"An Indian named Black Daniel had liberty to sell his lands to any of ye inhabitants of this Town."

Mch 23-1792, "Mr Barnabas Lothrop, James Gorham, Ensian Shobal Dimock & Lieut James Lewis were chosen by ye town to manage ye affairs of ye Common Field. Respecting such orders as may conduce to ye Common good of ye proprietors thereof.

The orders made by whom were presented to the Court of Quarter Sessions March 23,1693 & Confirmed

Orders approved page 66—
—providing for fences, for exclusion of all but working cattle from March 10 to Oct. 15: impounding of beasts improperly intruding: choice of haywards any—&c—

March & April 1691. John Gorham, Nathl Bacon and John Otis sold several parcels of land 1691 in pursuance of the vote of the town to raise money to defray expenses of procuring the Charter—

Oct 15. 1666 John Phinney, for him-

elf and others, brethren of the Church of Barnstable, who some time ince invited Mr William Serjeant to ave the benefit of his labors mongst them sold sd Senjeant certain premises—

p. 79, 80 Kenecompsit, with consent of Thos. Hinkley & Nathaniel Bacon, Guards, sells certain small parcels of land at Mattakeese.

January 30,1693 the Committee of leven made their report not signed y G. Hinkley of division of Common Meddow—The ministry was allotted 6 acres, Thomas Higgins & 3 r 4 others had 7: Mr Thos Hinkley (who heads the list) had 4: Shubal Gorham, 1: Nathl Bacons heirs, : Cap. John Gorham, 4 John Otis, n Rowley's right, 1: in his own right, —about 430 or 440 acres, to 161 persons or parties in their own right or y purchase or successn

Feb.8 1793, voted "that all persons hat are dissatisfied in reference to what ye late Committee hath done n order to ye division of ye common marsh shall appear to ye Town Clerk and their enter their names as parties agrieved that so they may have their remedy, which entry shall be made within fourteen days and all who shall neglect so to do, shall forever hereafter be without any remedy." (pp. 84-5)

p.86 "Here follows a list of ye names of those persons that found themselves aggrieved and unsatisfied with ye division of ye Common marsh or Meddow as it was divided by ye late Committee bearing date ye 30th of January 1692-4. Im——— Thomas Huckens, Feb.12,1693-4 Then follow 55 others, among whom are Thomas Hinkley & Shubal Gorham.

29th July 1696. Selectmen* shall notify those of Yarmouth they will run the line as the bounds were formerly fixed by the trees already marked; "otherwise, they shall not act upon that account, we having enjoyed it by these bounds neer about 50 years."

*First time I find word "Selectmen" mentioned.

Dec. 16, 1696 voted that "Mr Otis should have a piece of upland of forty foot square Lying at Rendezvous Creek."—"with liberty to erect a warehouse on ye same," "to remain to sd. Otis, his heirs and assigns, so long as it shall be improved for ye above sd. namely to erect & continue a warehouse."

Page 89, proceedings (Octo 30,1696) as to arbitration in reference to the shares of those dissatisfied with the proportion of common meddows assigned them by the Committee, under vote of Jan 14 1691, "which town do explain to be that arbitrators so chosen shall have power to confirm, alter or amend as they shall see cause; so that they shall proceed to make a final settlement of the sd Commons by way of division. The aggrieved parties above made choice of Major Mayhew of Edgartown and the Committee above made choice of Mr. Samuel Sprague of Marshfield

for to arbitrate and determine as above sd with all convenient speed ye above.

Also, voted by the Town, by full consent

Jan 12, 1696-7 voted that the charge shall be paid by each proprietor according to his several proportion which shall be allowed by ye present arbitrators. Also, voted, that Squire Lothrop and Mr Otis should take ye accoupt of ye above sd arbitration & to satisfy ye same and the Town to repay it to them again.

Farther, it was unanimously voted that each proprietor of marsh should have free egress and regress to cut grass, make hay and carry off the same, either for persons or teams, passing where least prejudicial to owner of lots passed over, to whom allowance shall be made for this necessity.

Feb 10, 1696-7 Com. of three men to be chosen "to settle bounds betwixt ye commons & particular mens lotts of marsh or meddows where they shall see occasion, according to equity and Right without partiality.

The Town then made choice of Esq. Lothrop, Mr.Otis, & Daniel Parker. Left Lowes added by vote of Last of March, 1697, "voted to allow them three shillings per day while about said service.

Also to raise 20 pounds by vote to defray the necessary charges in the matter.

The 18th of February, 1697, was appointed as the time of putting in claims before the arbitrators "about 10 of the clock at Melatiah Lothrops house." Desired and voted that Esq. Lothrop, Mr Hinkley, Mr Otis and Mr. Daniel Parker should consider & draw up something to propose and lay before ye Town in order to ye more ready carrying on of ye work of dividing ye common meddows": which find, signed by the arbitrators with schedule annexed of proprietors & quantities on pages 90 & 91, under date of Jan 12, 1696 & 1697, by which it is also provided that each and every male person born within the town, (whether in the award named or not) if 24 years of age or married, should receive one acre of meddow or marsh. And as it was supposed there would still remain a surplus of land, it should be divided, according to the proportions specifically awarded. In this division, Thos Hinckley has 5 acres instead of 4 as previously:

Allotments to 102 persons or parties, in their own right or acquired through others.

"Examined and Duly Compared with ye original & Entered ye 3 of August, 1697 per Samll Allyn Town Clerk."

pp. 92 &93. Common Meddows & Marsh to be laid out in lots of six acres each, those on the best land to be exactly six a—others to have enough more land to make them equal in value—Those who have last six acres to have his lot in reversion

—Others shall unite with neighbor or neighbors are Kinsfolk, the measurers of the town to determine, who shall be joined together as partners —accomodating those who have preferences as much as possible. The parcels shall be chosen by lot prepared in open town meeting. The lots to be numbered from 1, the numbers being written on separate slips of paper to be drawn by some one meet person. The persons to have lots shall be entered in a list made out by the measurers & the name and lot drawn shall be entered in the town book. Each person (or group) to have his chioce according to his turn by the number drawn. Where parties cannot agree, the choice shall be determined by the majority in interest. Where interests are equal or for any cause no such decision shall be made & in case of refusal or neglect to choose that person who draws the number shall also choose the lot to go with it. After the lots of six acres are all laid out & numbers drawn, one week's time shall be allowed for inspection of lots and then, choice shall be made and entered in the list, to be recorded afterwards in book.

The measurers may prepare stakes to be planted at lots with their number & shall have 4s. per day for their services (At Town Meeting May 6, 1697)

Committee having formerly been chosen to settle boundaries betwn Common meadows & particular lots, ie Barnabas Lothrop Esq Left Lewes, Daniel Parker & Mr. John Otis: Town now determines there shall be only one Committee, which shall both set out lots & establish their bounds and there were chosen at a town meeting held June 23, 1697, Capt Gorham, Mr Otis & Daniel Parker as such Com. they to receive 5 shillings each per day

Sept 30, 1697. Capt Gorham & Mr James Hinckley chosen to determine "little nooks corners that may be meet to allow those that have their marsh on ye South Sea,—

And agreement made with Mr. Otis to allow him 1d per acre for paying all the charges of lotting out & recording the lots commons.

p. 94 Division of "South Sea Medow"—their signatures

p.95 John Issams "Two acre right" of Marsh laid out to him at Oyster Island

p. 95 Record of 4 lots between Fuller's Creek & Scorton Creek

p. 96 Record of 6 lots between Scorton Creek & Eel Creek

p. 96 Record of 6 lots between BoatCove Creek & Fuller's do

p. 97 Record of 5 lots between Eel Creek & Goodspeed's do

p. 98 Record of 12 lots between Boat Cove Creek & Spring do

p. 100 Record of 6 lots between Bridge Creek & Spring do.

(Here is Jno Otis)

p. 101 Record of 14 lots between Bacon's Creek & Wells do

& so to boundary of lot 110 p. 107

At Town meeting 12th Aug. 1697, voted that those who shall choose all ye common marsh on Oister Island, (save that granted to John Issam, shall have it for 9 acres or a lot and one half.

allotment finished Aug, 6, 1797 by Jno. Otis, Capt Gorham & Daniel Parker, & recorded 25th of November 1697

As. attest Saml Allyn Town Clerk 12th August 1697, lots were drawn "for choice of 6 acre lots on first Division of sd marsh".

19th August 1697, it appearing that there having been enough 6 acre lots drawn to satisfy all allotments & as many 3 acre lots remained, voted to draw by lot for choice of those—

On pp. 108 et sub. is given names of Proprietors, numbers drawn & lot chosen by each, both of whole and half lots. Thomas Hinkley is always named first. This "turn of choice" was no 63 & no. 65

Recorded Nov. 25, 1797 p. 113

after 1st & 2d Division, there remained the 57th lott ½ lot 55 & half lot 102

May 13, 1698, ¼ lot 102 granted Nathll Nichols, on motion of his Father.

Daniel Parker & Samuel Chapman added to number of land measurers

June 21, 1698. Voted to make choice of men to settle ye bounds betwixt men's lands & ye Commons where there may be occasion for ye same and to settle & ye bounds and bring ye same to record. The men chosen were Mr. Jno. Otis, Daniel Parker & Samll Chipman

(There were many special grants of Commons ie Upland, many disputes as to exact locality of grants &c, &c, Exchanges of lands and so land measurers were in great demand.)

May 13, 1698 (p. 113) Props on Sandy Neck of meddows had leave to put up fences & treat cattle intruding as trespassers—

p. 115. Oct 28, 1697 John Gorham & Samll Hinkley report they have marked trees where Proprietors of Meduows at South Sea might, as by leave of town, set their fences upon points or skirts of upland for convenicency & saving of fence—

Feb 22d 1699-1700, Major John Gorham added as a third man to Capt Otis & Mr Daniel Parker for to make a division betwixt men's properties & ye Towns Commons to prevent encroachments thereupon (each man to have 3 shillings per day)

and such persons ie (Otis, Parker & Gorham) to be the Towns Agents or Attorneys to prevent & correct "disorderly taking in of ye Towns Commons"—

"This 21st of February 1700 Then in pursuance of an order given me Capt Gorham & Capt Otis by Bellamont, Earl of Bellamont, Governor & chief to divide ye Town of Barnstable into two Companys, we do order & agree and appoint in, Instanding and beginning at Deacon Job Crockers

ye may goeth up to ye head of Skoukanet River and as sd River runneth in to ye South Sea shall be ye dividing line in sd Town ye Eastward part belonging to Capt Gorham ye first foot Company in sd Barnstable & ye Westward belonging to Capt Otis ye Second foot Company in sd Town. (p. 120.)

19th of March 1700. that Town Clerk and one of the Town Com. living at either end of Town (as it may happen) shall be capable of settling bounds between men's property & Town Commons

May 17, 1700 Major John Gorham, Capt Otis & Lieutenant Allyn Empowered to employ inferiour help to same end.

Sept 17, 1700 Rev Jonathan Russell asked for his fire wood or an Equivalent, having formerly, on first settlement been encouraged by principal inhabitants to expect it—

7th March 1701 Voted that a town meeting should be named for Tuesday next ensuing, in order to consider and find out and Determine to whom of right, ye Common Upland belongs to and are ye proper proprietors of ye same—

At a Town Meeting orderly named 11 of March 1701 (p.121) Rev Mr, Russell was chosen Moderator for sd, day (The first thing then debated on was

Whether ye bare Admission of a person to be a Townsman, gives him right to ye Commons, under our circumstances

2 Whether there be any right of commons belonging to the Commons already divided?

3 Whether be any Right of Commons to Personal Estates?

4 whether any right of commons belongeth to House Lots as such?

5 Whether any respect shall be had to ye unmber of male children in each family?

6 Whether ye right of Commons heretofore granted to any doth extend to his & their heirs & Successors

(p. 122) At a town meeting named ye. 25th of Sept. 1701 Then voted that 15 men be chosen as a Committee to consider and draw up some proposals to offer to ye Town In order to their Settling ye propriety of ye Common lands in sd Town & to find out who are ye proprietors & what each man's propriety may reasonably be in sd. Town, and such rules as shall be proposed by ye major part of sd. Committee to ye Town shall be the Method for ye future for dividing as much of sd Commons as may be Thought suitable from time to time to be laid out—In case ye sd Town accept sd rules when proposed.

At a Town Meeting 25 of Sept 1701 The persons chosen as a Committee To consider and Draw up some proposals to offer To the Town Respecting ye Commons &c were as followeth.

Mr Thomas Hinckley, Edward Lewes, Major John Gorham, Ens Lothrop,

Lieut Fuller, Capt John Otis, John Bacon, Joseph Smith, James Gorham, Ensign Hinkley, John Jenkins, Samll Chipman, Ebenezer Lewes, James Coleman, Daniel Parker

"At a Town Meeting 19 of Feby 1701-2 Voted by ye Town to Know ye proprietors of ye Towns Commons & to State ye same; that some meet course should be taken"

At a Town Meeting 19 of March 1702. Voted that there be a suitable Number of Unconcerned persons chosen to Resolve who are ye Right proprietors of ye Undivided or Common Lands within this Township, sd number was voted to be three & that it should be left to them to Resolve the same

At a Town meeting ye 14th of April 1702, Esq Lothrop chosen Moderator, (after reciting above vote) "has now further ordered & voted, yt ye three persons so chosen to resolve who are ye right Proprietors— Shall in stating & settling sd proprietors' Interest and Proportion— They shall determine it according to law, ye Town Records, & ye Rules of Right Reason."

Then was made choice of three men by ye Town to Determine & Settle ye concern as abovesd which were Capt Jonathan Mory of Plymouth & Mr.Samuel Knowles and Mr Joseph Doan of Eastham & Mr Russell was desired to write to them to desire them to attend ye sd service at ye time appointed was to be the Second Tuesday in May, being ye 12 Day of May next ensuing.

At a Town meeting ye 12th of May 1702 Major Gorham was chosen Moderator for ye meeting & ye adjournment thereof.

Then also was agreed and voted in pursuance of town votes passed 19th of March and 14 of April last past for ye taking of some method for a better settling of their common lands, and as upon Record upon ye Town Book may more fully appear & there was three men that was unconcerned yt were chosen to give Judgment and Resolution concerning ye interest of ye common lands viz Capt Mory of Plymouth Mr. Samll Knowles & Mr Joseph Doan of Eastham & they were desired to meet here on ye 12th Day of this present May & two of them, to wit Capt Jonathan Mory & Mr. Samll Knowles did accordingly come & manifested a compliance to ye desire of ye Town presented to you, but Mr Joseph Doan was by ye Providence of God taken sick ye day before & so rendred incapable of coming. Therefore, and for other considerations moving thereunto it was agreed and orderly concluded with ye general consent & Desire yt Barnabas Lothrop Esq should be added to ye above mentioned men formerly chosen to judge of this matter and if they be all together ye same meeting, then any three of them agreeing or if but three of them meet together at ye same time than any two of them agreeing their Judgment in shall be binding accordingly

formerly voted, anything in any
e former Votes about unconcern-
persons to ye contrary notwith-
ding.
meeting adjourned by votes of ye
n to next day 9 of ye clock:
n desired of sd men yt they fin-
sd affair as soon as possibly they

a Town meeting 22d of May 1702.
e choice of Capt John Otis, Eben-
Lewis and Samll Allyn, to take
ount of ye Towns men and ye
ms of sd Towns men by their
eral Qualifications their names be-
annexed to ye same.

t a Town meeting 4th of August
2, orderly named for Persons con-
ed to give in their Qualifications,
to each person may have his
portion for ye undivided common
ds stated by ye arbitrators—

a Town meeting 16 of Feb. 1702-3
ereas this Town hath laboured to
e ye Commons or undivided Lands
ach proprietor according to their
eral Qualifications, that It may
Conducible to ye benefit of ye
le—And whereas there is an
r of settlement in ye Town Book
Records bearing date 1640, that ye
mons shall be stated or divided
his three fold Rule, viz. one third
House Lotts, one third to Estate
one Third of Number of Names
movable.
roposed, At ye time of making
order, ye Town was progressive
Ye particles "Shall Be, refers to
time of Doing as well for number
of names & Estates as for house lotts, Each of which have increased to a greater number and no particular propriety yet stated, and further Difficulty like to accrue—

Therefore, it is ordered and Resolved by ye major part of ye Proprietors having regard to said threefoll rule that one third part of ye lands yet undisposed of is stated & shall be divided to every Tenement in this Town, equally alike & not Exempting such whose owners are widdows & in yt nonage or not out of Town, nor including those yt have built on ye Commons.

Resolved that one third part of ye Commons is stated and settled to Estates according to proportions of each persons estate real of ye present Inhabitants, Excluding any other Townsmen that have bought small Tracts of Meddow within our Township and are with us non residents.

Resolved that ye other or last third is stated to number of names Immoveable to each and Every one alike to be understood according to our Town Record, such as are married or 21 years of age and are resident in Town—and not to exclude any who transiently are out of Town In ye occasions.

School & Ministry

Resolved that there be 80 acres of land reserved out of ye whole, ye profits of which shall be towards ye maintenance of a school or schools in this Town & 80 acres to ye Ministry, & so to be perpetually.

And as all general rules may have some particular exceptions, Resolved that ye major part of ye Proprietors shall have Liberty to Salve where there may be particular Apparent wrong

Resolved yt whereas one third of ye undivided land is Stated or settled to Estates Real as aforesd is ordered to be proportioned as ye Estates real was prized & Rated in ye year 1701 & where any part of such Real Estate is conveyed to other person or persons since sd rate was made: that then to be Recoued to ye present owner & to be computed by ye Committee & sd Committee is Impowered to apprize Mr.Russels' Estate Real & in like manner he to receive for it;

At a Town Meeting ye 19th of Feb. 1702-3, Left Colloned Gorham was chosen Moderator for that Day.

Then ordered a Committee to be chosen to receive to take ye number of ye persons Qualified to Receive and ye number of Tenements to receive, & to take ye quantity of each mans estate real as ordered and after a schedule taken to be committed to record & to state shares to Each Qualification According to Proportion after ye whole is Computed into Shares & shall in like manner be committed unto Record which Committee shall have 3 shillings a day per man they finding themselves & shall consist of five men who are hereafter chosen by sd proprietors as followeth, whose resolution in the premises shall be binding with a saving to any Grieved party the liberty of ye Law. A Committee was voted for and their choice of which were, Lieut Coll John Gorham, Samll Hinckley Senior, Daniel Parker, Ebenezer Lewes & Lieut Allyn

At a Town Meeting 17 of March 1703

Then voted by ye Town & ordered that John Hinckley Jun should have ye Town Book of Records for Lands sd Town Book to be delivered him by ye Town Clerk, to take care & faithfully to draw out ye Records of all Men's Lands bordering on ye Commons & such writings as are therein contained as may be necessary for ye carrying on that work of Dividing betwixt ye Towns Commons and Mens' proprietys & Hinckley to have Ten Shillings for his true and faithfull performance of ye same.

We, John Gorham, Samll Hinckley, Samll Allyn, Daniel Parker, & Ebenezer Lewes being chosen a Committee at a Town Meeting 19 of February 1702-3 to hear ye pleas & claims of each Proprietor of ye Common & undivided lands in ye sd Town of Barnstable & to state ye proprietor thereof after ye whole shall shall be computed into shares which computation is six thousand shares, we having heard ye several claims of ye whole, have made and drawn a list or schedule of our settlement & resolve, wherein is each person's name with yr respective shares & proper-

tion annexed thereto, according to ye Town's vote & committed to Record, which record is a final Settlement of sd propriety, saving Liberty for any grieved person to try his title at ye Common Law

East End

LeftCell Gorham heads the Schedule (p. 127) with 62 shares

James Gorham next with (largest no. of any) 74¾

James Gorham Jr next with 12½.

Shubal Gorham next with 43½

Barnabas Lothrop next with 37¾

Mr. Thomas Hinkley Sr next with 40

John Hamlin has 71¾ shares.

Capt. Otis has 60¾ shares

Thomas Hickins has 72 shares

179 persons receive shares, and it is added "There is fifty shares belonging to personal Rights yet undisposed of

Whereas it is doubtful to us that the house that we have entered for Commments are on ye Commons & so be excluded by ye Town Act from taking as such, we do therefore determine notwithstanding sd entry that where they shall so appear on ye bounding men's lands, they shall be excluded, according to sd act.

this 5 of March 1702-3. John Gorham

Samll Allyn

Samll Hinkley

Daniel Parker

Ebenezer Lewes

This above was truly recorded as it was given in by ye Committee for yr end. As Attest Samll Allyn, Town Clerk ye 8th March 1702-3

29th April & 6 of May 1706 Col Gorham Cap. Otis & Sergeant Ebenezer Lewes chosen agents to settle the bounds between our Town & Yarmouth, with full power to compound the differences or submit them to final arbitration.

14th of August 1707, Mr. John Bacon & Lieut Lothrop were chosen & Impowered to treat with ye Indians about Oyster Island about ye purchase thereof for ye Town and make Report of yr doings therein that ye Town proprietors may farther consider about a full issue thereof

At a Town Meeting ye 18 of March 1709

There was Liberty granted by ye Town to several Indians who desired it of you to plant or sow & to dwell upon ye Island called Oyster Island which ye Town then gave them Liberty so to do. Namely Paul Umphry & his son, James Richard & Isaac Wampum & Joseph Peter & his son—To which great and Liberty given from ye Town Mr. Daniel Parker then Declared his Dissent.

(We first learned from the records that there were any Selectmen in 1696, when instructions were given them about the bounds of Yarmouth. May 20th 1701, the bounds of Barnstable & Sh were established & authenticated by the signatures of James Gorham & Ebenezer Lewes, Selectmen of Bl, and William Bassett, John Smith, Daniel Allyn, Selectmen of Sh Sam. Ay, the rest to west of same "with the help of

Major John Thacher Esq. (p. 122)

"At a Town Meeting. 5 of Feb. 1701. Then voted and given to old Mr Robinson by ye major part of ye Town then present one acre and half of marsh.

19th of March 1702, Voted to submit to arbitration the claim Samll Annable makes to land granted to James pain & Capt William Basset & Justice Stephen Skiff were chosen arbitrators with power to choose a third. "& Mr. Thomas Hinkley was then chosen to manage ye matter aforesd as ye Town's Agent,. Respecting abovesd premises, 'Feb 16, 1703 Voted that Annable shd have 5 pounds in full satisfaction for his claim.

(P. 124) 22d May 1702, "Also, then was voted Esq. Lothrop, Major Gorham, Capt Otis & Mr. Thomas Hinkley to renew or settle ye bounds between ye Indians and this Town at Coatuit, Santuitt or elsewhere & to use their prudence to act or do in that affair for ye Town In Making Compliance with sd Indians & sd Town, to defray the charges that may arise thereupon & to begin upon sd service ye second Tuesday of September ensuing In order to ye finishing ye same.

16th December 1702. Mr. Thomas Hinkley & Mr. Daniel Parker made choice of as agents for the Town to defend their Right in ye land at Strawberry Hill that Joseph Hatch layeth claim thereunto which sd Hatch arested Joshua Lumbart in an action of Trespass whereas he sd Lumbart improved it as ye Town's Commons the above sd action to be herd & Tryed in ye next inferiour Court In Barnstable as per sd writ may appear."

"4 of May 1709 at a Town Meeting orderly named & met. Coll: Gorham chosen Moderator.

Then voted that ye Town gives full liberty for ye Proprietors of ye Meddow at Sandy Neck or any parcel of them to erect & put up a fence at ye most convenient place in ye West End or Entry of sd Neck, across from ye meddow over to ye sea & continue ye same winter & summer seven yrs. & until it be otherways ordered for ye preventing horse Kind or neat cattle to go within sd fence to fede ye Meddows or beech within ye same at any time of ye year, nor tread ye beech, wch heretofore hath proved very detrimental as by experience hath been found & that all Horse Kind & Cattle found on sd neck within sd fence shall be accounted Trespassers & dealt with as such.

This order was approbated by ye Court ye 19 of May 1709. Ordered that Avenue of lands for school & the Ministry should have liberty to hire out sd lands for ye term of two years for ye Towns use --

At a Town meeting ordered named for ye 9th of April 1712. Then was chosen for that day, Coll. John Gorham [121.

Then voted (it being proposed that

it is our duty to have two Meeting Houses & two Ministers by divers amongst us) that the Meeting be adjourned to this day three weeks In order to consider of sd proposals and that there be some of ye neighbour Ministers and others desired to be present at ye Meeting & yt sd matter be then fairly debated & heard & hear their advice thereon & yt ye matter be determined by ye vote of ye Town at ye same time, all ye ordained Ministers in ye County that may be obtained to be present at sd Meeting & the Deacons or any two of them to send to them word for yt end. & Ensign Parker, John Lewes & John Jenkins to draw up something In answer to Col. Otis his proposal

At ye Adjournment above mentioned ye last of April 1712 Coll: John Gorham was chosen Moderator for that day. At sd meeting being held by adjournment to ye first of May when we had ye advice of ye Reverend Elders then present with us then pursuant to sd advice did vote a concurrence with ye Church, in ye choice of Mr. Jonathan Russell to be their Pastor & make choice of him to be ye Minister of ye Town & do also vote to give him 80 pounds to be annually paid sd Mr Russell if he shall continue here in sd work & take sd work on him and as long as he shall continue here in that work sd money to be paid in Province bills or other money as it shall pass currant with ye merchant at ye respective times of payment. Always provided that sd Mr. Russell do accept of sd yearly payments for his sallary In full. This to be made Known to Mr. Russell by ye persons undersigned viz. Mr.Daniel Parker, Serjeant John Baker, Lieut Lewes, Lieut Lothrop & John Lewes

This voted by ye Town.

At a Town Meeting ye 17 of August 1712, then was chosen for that Day Deacon Job Crocker Moderator.

Then voted by ye Town that Mr Jonathan Russell have a suitable settlement granted him, which if he accept he shall forthwith be ordained as a minister to ye Church & Town—but always that ye settling and ordaining of him shall be no obstruction to ye church and Town Either to ye Calling of another Minister to assist in this house or to become two societys when we can unanimously agree to either of them. Farther agreed and voted that forasmuch as ye Town is not at present in a capacity to provide a real settlement for ye Minister's accomodation & use that instead thereof the Town do give to and allow to Mr Jonathan Russell two hundred pounds to be paid after ye rate of twenty pounds per year annually in case he continue in ye work of ye Ministry among us so long: if not, so long as he shall so continue to be paid twenty pounds per year, the money to be paid at such value as it

usually passes or in Province bills.

At a Town Meeting January 27, 1712-3 Coll. Otis. chosen Moderator for that Day.

Then voted that there be a Committee of twelve men chosen to consider what is ye present Duty of this Town In respect of Two Meeting Houses or Societys & to Consider what ye Cost of building & settling two Ministers may probably be & if It be thought Convenient to have two to consider where they shall stand & how money shall be raised & ye growing charge defrayed & make Report to ye Town.

The men chosen for sd Service are as under written.

Coll. Otis, John Lewes, Deacon Chipman, Coll Gorham, Ensign John Thacher, Ebenezer Goodspeed, John Jenkins, Mr. Samll Hinkley, John Baker, Mr. John Bacon, James Coleman, John Phinney Jur

Voted Mr. Daniel Parker Added

At a Town Meeting July 29 1713. Voted that Mr. John Bacon, Lieut Jos. Lothrop & Lieut Ebenezer Lewis be a Committee to have power to bargain with Thomas Crocker Jr for such a piece of land as they shall think necessary to enlarge ye burying place & take care to get ye same fenced in with ye whole burying place in such convenient time as they shall think fitt.

1647—"ye 7th of January—"It is also granted that Isaac Robinson shall have all ye marsh that lyeth at ye end of his lot westerly.

1647 (p. 133 et sub) orders adopted for building general fence from Coggins Pond ye pond by Thos. Hinkley's to Stony Cove—lanes to have gates at upper ends—Mr. Allyn, Geo. Sherley, John Smith & Nathl Bacon to be Heywards to see to fences & impound cattle, hogs &c trespassing Hogs to be yoked—

135

Heywards shall determine part of general fence to built by each proprietor & make it if he does not, charging twice as much for their labour as it is ordinarily worth. or if they cannot attend to it, may summon all the interessors in the general fence who shall assemble to do it & receive forfeit as aforesaid. Heywards shall break up the general fence when the corn is gathered in previous to which, the cattle shall not be permitted therein unless in a sufficient enclosure or under Herder's care—under forfeit of 2 shillings for each mans default. Heywards may impound & receive the forfeit & half of it when any others shall impound

Heywards to inspect carefully and frequently the fences in the season when the lyeth most exposed to damage by cattle, for which they shall receive a penny an acre besides the forfeit—Fence to be made by 16th of March

(136) Dec. 22, 1657 "Whereas at a general meeting of ye several interessors in the General field, specified in an order dated ye. 28th of [illegible]

1647 they ye sd Inhabitants have given full power to Mr. John Groome, Isaac Robinson, Nathaniel Eaton, Thomas Huckens & Thomas Hinkley to order all such things about ye general field as may conduce to ye general good of ye several interessors therein as aforesd—It is therefore ordered by them according to ye power given them as aforesd as followeth, viz.

Fences to be made by 11th March in default of 3d per acre to be spent in general field & if not made four days after 10th March to be put up at double cost to interessors. Gates at lanes to be maintained & assigned to different persons for that purpose. Similar orders made Jan 25, 1652 & March 20, 1653 (p. 137)

Dec. 22, 1656 order, reciting great damages by neglect to keep the fences up— that they shall be made by 1st of March, as proportioned by Henry Cob, Nathaniel Bacon, John Gorham, Thomas Huckens & George Lewes

For six weeks after Indian harvest the gates may be opened, but at no other time.

Dec. 22d 1656. John Phinney, Thos. Lothrop & George Lewes Com for that year

Resolved by ye Town this 21 of May 1662 That Thos. Hinkley, Nathl Bacon, Thos. Huckens, Joseph Lothrop & John Davis be empowered to make such orders Respecting ye general field as may be for ye preservation of ye corn for this present year & for so long time as untill ye Town shall take some other course therein & it was further ordered as an addition thereunto that what order or orders ye aforementioned five men or any three of them shall agree upon Respecting ye said field, shall stand in force till ye town make some other provision therein".

This Com. on the 24th of May 1662, made rules, fixing 6d a rod as a penalty for defective fence & twice the charge of making it after one day's notice; also, that the compensation of Heywards sid, be 3 pounds per an. and appointed Thos. Huckins, John Davis & James Claflorn for that year. March 21, 1663 they chose Nathl Bacon, James Lewes and James Cob.

Feb. 7, 1668 they chose Abraham Blush, James Lewes & James Cob Heywards & Nathaniel Bacon, Thos. Huckins, John Davis James Lewes & James Cob, to take a view of ye proportions of fence & land belonging with the bounds, to be recorded in the Town Book

p. 139 Feb 7, 1671—agreement of Thos. Hinkley & Thos. Huckins about proportion of fence &c, about Coggins Pond & ye lane for protection of General fields.

Feb. 19, 1671, John Davis, James Lewes & James Cob & Kenelm Winslow to be Heywards & to report "defects" to Jedediah Lothrop, who is empowered to act as ye Company's

Treasurer to levy fines & give a true account thereof."

14th April 1672, John Davis, James Lewis & James Cob chosen Hey wards, James Lewis, Treasurer.

Jan'y 16,1673 Abraham Blush, Thos Lumbart & James Cob. Each Hayward to have 20 shillings in Indian Corn. Fines to be elected bye Com. by warrant of distress.

Feb. 26, 1679 Robt Davis, David Linnel & Henry Taylor—

No cattle to be let in till Oct. 15th Gates not to be thrown open till Nov. 5 annually & if any Yarmouth horses or cattle are in before the Haywards or any other may impound them & have 5d of each owner of such cattle or horses.

Dec. 31, 1685 At a meeting of proprietors of ye lands in ye common fields voted that no cattle or beasts shall be baited therein before Oct. 15, except working cattle & then "on owners own land only"—

Jan 26. 1685 voted by Prop's that Common fields shall be measured next summer to ascertain the proportion of each mans land & fence belonging to it by men under oath & any man who, after Oct, 15, shall put cattle therein in excess of his proportionate right he shall pay for excess.

Thos. Lothrop, Bernard Lumbart, John Gorham & Joseph Lothrop or any three of them, shall measure the land and apportion the fence, being allowed 1d per acre.

Feb. 13, 1686, at meeting of Prop's —Jabez Lumbart and Nathaniel Bacon were chosen & appointed measurers instead of ye above named Thomas Lothrop & Bernard Lumbart—& the penny per acre is to be paid in Indian corn at 6d per bushel

Oct. 10, 1656. Mr Thomas Prince & Capt James Cudworth have been ordered & requested by the Court to endeavor to issuing a controversy between Mr. Thomas Dexter and & some of ye neighborhood about a highway over a marsh of Mr Dexter, determined that those owning marsh above it & using the way, should pay Mr. Dexter 6d per acre for his use in full recompense, shd make and repair the way forever in proportion to the use each man made of it & shd shut gates & bars after use to prevent damage."

The names of those that are interested In Marsh that needs ye privilege of sd way as followeth—Samll Hinkley

Peter Blossom

William Crocker Thos Hinkley

Samll Fuller Robert Parnell

John Chipman Mr.Lippel

Also, ye. sd Mr. Thomas Prince and Capt. Cudworth do allow ye sd foot way laid out by ye jury over sdmd land of ye sd Thomas Dexter himself likewise contented therewith

also ordered ye day and year aforesaid by ye sd Mr. Thomas Prince & Capt James Cudworth yt ye determination of Bernard Lumbart where ye. bounds of mens upland and Marsh is Shall there be kept to ye

issuing of any controversy between Mr. Thomas Dexter and any of ye neighbourhood on that account.

Finis—

p. 144 Perambulation of bounds of Yarmouth &Barnstable 24th May 1803, Farm formerly Job Gorhams to be taxed in B & Timothy Halletts in Y.

Abner Taylor Selectmen of
Thomas Thacher Y
Eben Bacon Bl
Richard Lewis

p. 145 do. of Sandwich 26 April 1826
Lemuel Nye Selectmen
Asa Hinkley of B
Melatiah Bourne, Henry Lawrence, Selectmen of Sh
Josiah Hinkley Town Clerk.

p. 146

Perambulation of Mashpee & Bl, bounds, April 19, 1803

David Parker, George Miller,
Guardians of Plantn Maspee
Eben Bacon
Nathl Jenkins Bl

p. 147 Partition of fence May 17, 1793 Eben Bacon T Clerk.

p. 148 Agreement by which Micah Hamblin agrees with Lemuel Bearse, Eleazer Scudder & Elisha Blish to build a meeting house on the North side of Phinneys lane, between Mr. Joseph Phinneys & Mr Solomon Phinney dwelling house—to be 46ft. long 38ft wide 21½ft high. Porch 14ft sq. 21½ ft high House to be lathed & plastered—42 pews—a neat sounding board to be painted stone color—a gallery House & windows to be painted in the same manner as the house is that stands near Jabez Howes in Yarmouth. Bearse et al. to own ½ pews, Hamblin the other ½ (Except the ministers pew & to have $1100 (March 15, 1796)

(150) John Gallison sells the same piece of land on South side of the East Precinct in Barnstable to same persons as above (Bearse et al.) for church

p. 193

"We certify that Isaac Smith of the Town of Barnstable is a member of the religious society in the Town of Barnstable called Methodists: dated this eleventh day of May A.D.1812

Ebenezer Hinckley
James Fuller
Committee.

Received May 14th A.D. 1812 & is compared atest

Naler Crocker Town Clerk

Marriages Solemnized by Rev. Enoch Pratt commencing Nov. 27, 1807—to 1823 (p. 194)

(p. 202) Nov 27, 1816. Ansel Annable sells Isaiah L. Green pew—being wall pew on South side of North Meeting house in Bl.

(207) Feb. 1, 1805 Hannah Doane, of Boston, sells ½ a pew in same to Hezekiah Doane of Bl Shipwright.

(207) Fence viewers assignment of partition fence 1818

(209)

Marriages by Revd Josiah Sturtevant

(213) sale July 15, 1822 of Ebenr

Bacon's ½ pew in meeting house at W. B.
(219) sale of pew in Baptist M H. at Hyannis 1825
(246) sale of pew in M. E. M. H. 1826
subject to the following conditions viz. that the pulpit of said meeting house shall be supplied by the Annual Conference of the Methodist Episcopal Church agreeable to the rules of discipline. And the Methodists in Barnstable may occasionally and exclusively occupy the aforesaid Meeting House for their Love Feasts and all other church meetings for their benefit."

Naler Crocker Town Clerk, 1823
James N. Howland Town Clerk 1825
Josiah Hinckley Town Clerk 1826
Calvin Stetson 1837
Fredk Parker 1844
F. G. Kelley 1847.
(260) Perambulation of boundary line of Bl & Mashpee May 18, 1826
Naler Crocker Lemuel Nye Sectmen of Bl Gideon Hawley Nymphas Marston overseers of poor.
(265) Recital in deed of purchase of pew in 1st Universalist M. H. in Bl. of Props Jan. 15, 1831
(P. 280) Three bills of sale of horses and wagons 1837
(P. 284) July 1837. Chipman Hinckley, Nathaniel Gorham & Joseph Bodfish reported to the town "that in 1714 & 1715, the Proprietors of Sandy Neck laid out 20 rods from common and ordinary high water mark upon the North side of Sandy Neck for the Proprietors & inhabitants of said Town to pass and repass as occasion may require. We have also measured off the said 20 rods from what we call common and ordinary high water mark from our end of the Neck to the other & set bounds and caused the same to be recorded on the Town Book"
(288) Nov. 29, 1837 Bl & Yar Bounds perambulated Jas Mathews Saml Thacher Ichabod Sherman Select Yar.
Henry Crocker Nathaniel Hinckley Saml Pitcher selectmen of Bl
p. 291
May 2, 1838 (Sandwich & Barnstable bounds perambulated)
Nathl Hinckley Danl Bassett Selectmen of Bl
Jesse Boyden Jno. B. Dillingham selectmen of Sh
Dec. 13, 1838 Bl. & Mashpee do
N. H. D. B. as above
Solomon Attaquin Moses Pocksuck selectmen of Mashpee
(P. 293) "Return of names enrolled in the Militia in 1840 First Company 229 24 132:—361
whole number 368"
1841 Return of Militia
(p. 302) Do for 1842 whole no. enrolled 275
Do for 1843 whole number enrolled 354
p. 314 Bill of Sale of Dry & other goods—
(317) Perambulation of B. & Y. Nov 29 1842
Lothrop Davis, Seth Hallett Bl

Jas. Matthews Ichabod Sherman Yar. (18) Do. Dec, 20, 1847
Jas. Matthews Sam. Thacher Y
Nathl Hinckley Arthur B. Marston selectmen Bl—
Bl & Mashpee
Bl & Sh
Lothrop Davis Selectman Seth Hallett 1842
Charles C. Bearse Fredk Scudder Lothrop Davis 1849
Daniel Bassett F. S. & C. C. B. 1852
Nathl Hinckley Jos. R. Hall, Ebenr Bacon 1858
1865 C. C. Bearse Chm of Selectmen
Eben Bacon of Bd. Joseph R. Hall
April 1871 Nathan Crocker Samuel Snow
1871 June 1 Andrew Lovell Simeon L. Ames
John Otis m. Mrs Mercy Bacon July 18, 1683 per Gov. Hinckley
John Otis Town Clerk 1713
In this year it was voted that inhts. of each end of the Town shall meet together to select spots suitable for the meeting houses when the town shd think itself able to build.
meeting to choose Jurymen for ye Superior Court, held March 18, 1713-4
Col. Gorham Moderator Tithing men elected—& clerk of ye Market
Eben Lewis John Bacon John Lewis selectmen.

"At a Town Meeting orderly named for ye choosing of Representative for the ensuing year May 17, 1714, then was chosen to represent the Town at the General Court holden in Boston ensuing, Mr. Daniel Parker & then was voted to allow him six shillings ye day for his services: agreed on and ye. Mr. John Bacon & Mr Samll Hinkley did manifest yourselfs to be utterly against allowing him that money; and desired to give dissent &c." (Handwriting of John Otis)

At sd. Town Meeting aboved. then was voted for Mr. Daniel Parker and Mr John Bacon agents for ye Town to look out for a schoolmaster to serve ye Town for ye year ensuing & to provide him at the Town's Charge.

Dec. 1814 Dan'l Parker chosen representative
Left. Lewis, Left Lothrop, Ensin Baker Serj Jos Smith John Lewis, Selectmen—Town Clerk Samll Allyn
Apr. 21, 1715 Col. John Otis Moderator
Town will join with Sandwich & Falmouth to give 20 pounds bounty for every full grown wolf killed.
Col. Otis, Col Gorham Esq Parker & Lt. Lothrop shd take care of ye school house on Strawberry Hill—that it be not infringed or encroached upon.

To give the widow of Mr. Russell 60 pounds
Sept 21, 1714 Town voted to pay for sweeping ye meeting Hous 1:10
May 12, 1715 Left Joseph Lothrop chosen Rep. & allowed 5s per day.
1718. Daniel Parker.
Esq Parker chosen agent to defend presentment for not having a pound.

At a Town Meeting orderly warned

ye 6th Sept. 1715 voted
For Mr. Russells Sallary for this year & settlement 100:0:0
Allowed also for ye Widdow Russell 30:0:0
Towards supporting a School-master &c 35:0:0
Toward ye Killing of wolves 30:0:0
For Representative 20:0:0
For sweeping ye Meeting Hous 1:10:0
For the poor 9:0:0
For repairing the Meeting Hous 3:0:0
For ye buring place—gate making—10:0

voted James Hamlin, son of James Hamlin be desired & empowered to look after the boys on Sabbath, to prevent disorder—

Oct 13, 1715 Left Jos. Lothrop Moderator: "then voted at sd Town meeting to have two meeting houses.

Feb 28, 1716 Col Otis Mod. voted not to divide the Town by families so that each cd. determine place where meeting houses shd. be.

John Gorham Jr. chosen grand juror.

Mch 20, 1716, Colonl Gorham Modyn was chosen Mr. Jo Bacon, Mr Joseph Smith & Mr Jo Thacher for Selectmen &c.

27th Oct. 1716, Col Otis Moderator, "It was voted to choose a Committee to lay before the town upon their consideration of the matters in debate what they judge might best conduce for ye peace & quietness of the Town & the Community then chosen were Colonel Otis & Col John Gorham (last named, apparently of 20 members—29)

At a Town Meeting ye 30th of October 1716—"The return of the Committy to the Town who sat in Barnstable the 26th of October 1716 To as proposed by the Community met together pursuant to a vote of the town whether there is any thing of necessity to be done by the town to prevent further & future difficulties as to our circumstances relating to two meeting houses thereupon answered in the affirmative with unanimous consent & voted by the Town as sd Town meeting."

March 20, 1777 Left Ebenr Lewis Moderator
Selectmen Capt. Lot Joseph Smith & John Baker

Barnstable Feb. 1777. To the of the Constables of Barnstable greeting

You are directed & ordered to give notice to ye Inhabitants in the Town that they meet together on Thursday next at ten o'clock in the forenoon in said day at the meeting place That then the Town's mind may be Known by their vote, whether they will grant the divers grounds hereafter mentioned by divers of the inhabitants of sd Town

That ye mind of the Town may be Known whether or no they will grant the request of ye Inhabitants of ye South side of ye Town that they may have leave to build a Meeting House on ye South Side for carrying on ye Publick Worship of God when they are able

That their minds may be Known whether they will raise money to build one more meeting house in said Town to be sett abt at ye West end of sd Town, as may be appointed by a Committee out of Town, and also to raise money to pay for ye meeting house already built in said Town on condition it shall stand where it does and both houses be the Towns and improved for public meeting Houses, and a minister forthwith called to preach in ye new meeting House.

That the Towns mind may be Known, whether they will grant that the East end of the Town may be a Precinct to act by themselves, to extend from Yarmouth line Westward to ye way that leads from James Lewis Dock into ye woods by Nathaniel Bacons and from the North Sea half way across ye land to South Sea reserving liberty for any that dwell within sd bounds to attend ye Publick worship elsewhere if they please in sd Town and to pay to such minister where they shall attend.

That the Town's mind may be Known whether Mr. Russell our present minister shall have liberty to make his choice which Society he will be of and preach to, if we divide into two or more.

That the town choose a Committee of indifferent men, who shall have full power to determine whether it will be best for us to have one, two or more meeting houses, And if they determine it best to have more than one, the same Committee to divide ye Town in order for each precinct or Society to act for themselves.

That the Town make choice of a man to look after the burying place and repair any breaches as there may be occasion.

That the Town choose a committee of wise, indifferent persons, to refer all our difficulties unto for a final determination viz. what number of meeting houses may be necessary att present, and where they shall stand or be placed—If they determine more than one needfull. And whether it is necessary or advisable to divide the Town into precincts, and if so then to do it for us. And to determine whether the new meeting house in this town built by partieular persons shall be improved for a publick meeting house and upon what terms. And in case there be occasion for more than one minister then the sd gentlemen to give us their advice whether it best for ye town to vote ye present minister to have his choice which part of ye Town to settle att or to leave the Determination thereof to a Council of ministers,—or to determine it by a lott. Also whether the Town will give leave to all those persons that have been at ye charge to build ye new meeting house, forthwith to call a minister to preach ye Gospel in sd house on that condition that they that attend the publick worship there shall at their own cost pay to sd minister a suitable maintenance and

not be released from paying same until ye town see cause to release—

John Bacon
etal.

May 16 1717, John Bacon chosen Rep.

25th September 1717 voted "Mr Garret's Killing a wolf 9 pounds

March 4, 1718 Selectmen, Capt, John Bacon Left. John Thacher & Serjeant Joseph Smith

"Voted yt the former act made for the Incouragement of the Killing of wolves is repealed and no more shall be paid by this town for the Killing of wolves till the Town see cause otherwais to order"

Then at abovesd Town meeting ye return from ye General Court in Boston of ye Towns settlement into two two precincts was publicly read—

13th May 1718 chose 3 selectmen to add to Mr. Bacon & Left Thacher viz—Esq. Parker, Ensign Bacon & John Lewes

May 22 1718. Chose Capt Shubal Gorham representative

2 March 1719. voted to raise 120 pounds for settlement of a minister when Mr. Russell is settled in one of the two precincts

voted to raise 60 pounds, 40 pounds for 6 mos. salary of Mr. Russell & 20 pounds for new minister

Col. Otis, Esq. Parker, Capt Lothrop, Dea. Chipman, Left Lewes, John Lewes, Left. Thacher & Capt Crocker com. to wait on Mr. Russell and ask him to make choice wh. precinct he will go to to be minister of.

Col. Otis, Esq Parker, Capt Lothrop & Capt Bacon chosen committee to dispose of old meeting house for the Town when the West Precinct have built their meetinghouse (p. 13 vol 2)

5th of May 1719 Cap. Jos Lothrop & 1726

1720 & 1721 Shubal Gorham Rep

1722-1725 Major S. G.

10th May 1722, Col. Otis appointed Chn of a Com. to see where house for the poor can best be erected—16 pounds raised for Rep. 50 pounds for school master &c.

Sept 8, 1723. Major Gorham & 2 others appointed on part of town to bring by arbitration to an issue the controversy with John Bacon Esq the title to land where stands the school House at Strawberry Hill (?) & to fix boundaries & settle the suits—

March 19, 1734 Ct of Sessions (John Sturgis Clerk) approed bylaw that all male inhts 24 yrs. old or upward shall kill 4 grown crows, blackbirds or blue jays an. on penalty of 30d per head—except aged, infirm ministers & school-masters.

p. 60, 1735 Sheep shall from Dec 1 to March 1 an. with redding, blacking or other colouring to distinguish them from strays. March 11, 1733 40s encouragement for every wild cat & 20s every young one killed

1736 p.63 Com to report on condition of Great Bridge.

June 30 1736 voted not to lay out a way from Dea Bacon's Gate to ye Mill, because "the Town presume they have had a Gate from ad Gate

to ye mill below Capt James Lewes Line out of mind." do. Town Clerk to transcribe from old Town Book into new one such articles as are likely to be of future use & 5 pounds to be allowed him towards transcribing. Jan. 6 1736. to have two grammar schools— but 11th March voted to proceed no farther therein unless two Masters are already engaged.

At meeting March 25, 1736 at East Meeting House "Deacon Baker chose Moderator & disaccepted. Capt Lothrop chose & disaccepted. Dr. Russell chose Moderator & accepted." 1737-8 Dr. Russell chose Representative— Col. Shubael Gorham, Serg't Joseph Smith David Crocker Esq Selectmen May 16, 1739, at meeting at East M H., Col. Gorham Moderator & chosen representative.

"voted that Deacon Baker & Mr. Joseph Hamlin be appointed a Committee to treat with Mr. Marston about a passage for alewives thro his dam, view the premises & report to Town hereon" 1739 Marston 1st time

"Selectmen allowed for making rates A.D. 1739 viz.

To Joseph Smith 7 days 2:2.
To Deacon Davis 7 days 2:2
To David Crocker 8 days 2:8
To sd Crocker for Expenses viz 22 dinners at 2s 2:4
2 horses 7 days at 1s 14
20 sheets paper 2s--6d 2:6

At the Town Meeting the 3d September 1819; then voted Mr. Russells choice which he made to which meeting or precinct he wd. go to preach be put upon record &c. which is as followeth "Whereas this Town is now divided & become two precincts & have (by Committee chosen for yt end) made aplication to me according to the Town's vote to know what presinct I would be minister of or preach to, I therefore by way of answer reply, yt though I was settled with so great unanimity both in Church & Town as yt neither precinct hath more reason to reject mee than I have to leave the whole and desire my dismissal, from them & though on divers accounts it seems most natural for me to abide in the precinct where I now am; yet since there is such a number who are so prejudiced or disaffected and so sett against my being there; as yt my life is likely there to be rendered less comfortable to me & perhaps my ministry less profitable to them—together with some other reasons yt might be mentioned; presuming also yt there is a very general if not universal desire in the West End yt I should come to them; presuming likewise yt you will shortly be in a readiness to receive mee; I think it best for me to decline a settlement in ye East, and rather prefer a Western Settlement if it may by any means comfortably to be obtained. Wishing the Spirit, presence and blessing of Christ may be aforded to both precincts, I subscribe yours in him JONATHAN RUSSELL.

Barnstable

1539291

BARNSTABLE TOWN RECORDS

April 23d 1725, Col. Otis Mdr. Proposal made at sd. meeting by John Bacon Esq in the behalf of himself & Mr. Samuel Annable relating to the action now depending in reference to their demands as to a division of the Common meadows &c— as followeth

1 If the Town will defray the charges of the sd action which they have been at hithertoo. That they the sd John Bacon & Samuel Annable will bear their own cost & expence that they have been out hereto.
2d—That they will then withdraw their appeal and prosecute ye matter no further.
3th That Iff the major part of the proprietors will subscribe & promise to forbear the continuing or prosecuting of any action of the like nature for ever, they will do the same. Those proposals were accepted by the Town & the clerk was to take the vote and obtain as many signers as he can— signed by 37— Jno Otis, Sr & Jr. Shubal Gorham & S. G. Jr.

John Bacon occasionally Moderator

March 17, 1726 Col Otis Mod. Major Shubal Gorham chairman of Selectmen (S)

Nathl Otis Town Clerk 1725-6

March 3, 1727 Major Shubal Gorham, Moderator Chm of Bd. of Sectmen, of the Surveyors, Moderator March 31 27

Capt John Otis Modr at meeting Jan, 11. 1727

Sept, 21,1727 Rep instructed to ask for term of Superior Court here 1727 120 pounds to be raised for Town Charges.

Name of James Otis first appears in Town book Jan. 11, 1727 (drawn as petty juror) Mch 15, 1728 surveyor Oct. 31, on following Com., Jury man July Court 1728

Oct. 21, 1727 Major Shubael Gorham was made chairman of a com of 13 to prevent Indians, negroes & others, disorderly persons, found [illegible] in the night season; and frequenting of publick houses after nine of ye clock in ye evening contrary to law.

March 15, 1728 voted to have out 5 selectmen, Major Shubael Gorham Modr & Chm Bd Selectn.

May 9, Col Shubael Gorham Mod & chosen Repe

Town voted to take its part of the 6000 pounds loan. Voted that the Trustees shd. not let out less than 5 pounds nor more than 10 pounds the first day—not more than 20 pounds, second, to any one man after the 2d day to rise 10 pounds per day. To loan on personal security; of a principal & security, both to be freeholders; chose three trustees ie Col Shubael Gorham, Major John Thacher, Mr. David Crocker, who were to have 1d comm Voted, that the 4d per an. be pd to Province Treasurer & the 2d to Town Treasr

29th May 1728. A com. was appointed to prevent encroachments on lands "laid out for public & [illegible] uses."

Selectmen 1729 Col Shubael Gor-

ham, Major John Thacher Capt. Joseph Hinkley Dea Samll Chipman Lieut Joseph Smith Jas Otis surveyor. Sylvanus Bourn in place of John Otis decd, to manage the school lot-

Jan. 15, 1729 meeting to choose jurymen

March 7, 1729 meeting to choose Town officers—adjourned to March 27

April 2 meeting to choose Jurymen

May 19 meeting to choose Representative

June 11 meeting to choose Jurymen

Oct, 14 meeting to choose Jurymen

Oct. 29 meeting for school and other business

Dec 29 meeting David Crocker chosen Town Clerk in place of Nathl Otis—deceased — 9 Town meetings

Mch 6, 1730 Col. Gorham Modr & Chn Selectmen

3 Surveyors of West, among whom Capt. John Otis

3 Surveyors of West among whom Col Shubael Gorham

P. 38. 40 pounds due E. Precinct Bourne lived there

Capt. Lothrop, Major Thacher & Deacon Baker, Com. to purchase a spot of land for a burying place at the West end of the Town

1731 S. G. Chn Selectmen & Moderator

1732 S. G. Chn Selectmen & Moderator

James Otis

James Otis juryman 1727—8—Surveyor, 1728; on com. to suppress disorders: 1731: Mr. Bourn and ib to prepare proposal as to Province Treasurers Comn on Treasury —Report, Vol 2 p. 42—1732 on Com. to consider cattle &c on Sandy Neck Report p. 45 (refers to use of Sandy Neck for whaling.) Aug. 15, 1732 James Otis, Moderator—& on Com. of wh Col Gorham is Chm to prevent disorders by Servants & others p. 45 — of town to provide schoolmaster — 1733, fence viewer: on Com. to prevent trespasses on lot near middle of the Town laid out for public and pious uses; on Com. to consider of sale of the School lot — Oct. 23d 1734, James Otis Esq. Com on sundry matters

Jan. 9, 1735. Moderator: (p 64) of Com. to rebuild ye Great Bridge

Oct 6, 1737, Moderator; Petition of Harwich & Towns below that

March 3d 1737, of Com. to oppose in Gen Ct, the 2

Oct 6, 1736, Moderator; terms of C. Ct. are to be held in Eastham.

March 3, 1737 an. meeting—Expenses & 30 for trouble (3)

& many other occasions

March 12, 1739 James Otis, John Otis Sylvanus Bourne, Col. Gorham et al chosen Hogreeves-

(p. 76)

March 30, 1742. Moderator

1741-2 on various committees — 1744 Towns Ag't about Benj Marston's petn to Ct Gen. Sessions abt way & bridge

1744 Selectman.— also 1745, 1746-7-8 1749 — 1760-1-2 — 1768-9

Representative 1745, 1746-7-8 (all 80 polls") (1755 unanimously 70) 9-51—52 — 53 — -4-5 1756 — 1760-1-2-(chosen May 12, but Ed. Bacon chosen Sep 20 following — probably Col. Otis of the Council)"

1767-8-9-'70 — Elected to Council

(170) "Com. to Keep ye West burying place fenced & notfed—

Mch 23, 1747 Major John Otis Moderator at many meetings & on many Coms on 5 such at March meeting, 1759—

1761-2-3-4 was almost invariably Moderator & on every important Committee. First on Herring Brook fishery in 1741 — to 16 — 26 yrs. again in 11

P. 210 "London Negro man, servant to James Otis Esq and Bathsheba Lowardy, an Indian, Dec'r 19, 1760 Notice Entd & Pubd—

Vol 2, p. 307 "James Otis and Mary Allyn, married by Mr. Elisha Williams of Wethersfield May the 14th 1724 Their son James born 5th Fery 1724-5 Son Joseph born March 6th 1725-6, Mercy 14 Sept. 1728 — Mary 9th Sept 1730 Hannah — 31 July 1732, Nathaniel 9 July 1734 and died 13 January following—

Martha born Oct. 9, 1736 died Nov. 25 following

Abigial, born 30 June 1738 died 31 July 1738

Daughter Elizabeth Otis, born 1 Sept, 1739; Son Samuel Allyn Otis, born Nov. 24, 1740

Sarah Otis born ye 11 of April 1742 & died 5 of May, 1742

Nathll Otis born ye 9 of April 1743 & died ye 13 of April 1743

Oct. 20 1768. Col. Otis Moderator. Joseph Otis Esq. (43 yrs.) was chosen chm of agents for West Prec. School District-

& on two committees.

March meeting - 24, 1772 at East M. H. Col. James Otis, moderator, his son Joseph was chosen selectman in his stead. Meeting was adjourned to March 30 at West M. H., Col. Otis still Moderator. "Voted to give the Hon. James Otis Esq. Thanks for his good services he has done this Town" 45 years. He was then of the Council, May 21, 1772 again Moderator. & March 10, 1773 He had probably declined to be again Selectman—

March meeting, March 8 1782, there were chosen—

8 petit jurymen for March Court

6 jurymen for Superior Court

Town Meeting March 9 chosen

5 selectmen, 3 Constables, 4 Surveyors, 4 fence viewers 4 Tything men, Town Treasurer, Clerk of the market, Sealer of Leather, Town clerk 7 Hog reeves, Com of 9 about Sandy Neck

Nov. 29, 1732 (p. 47) Report as to division of schools in E. & W. Precincts — in each 1 year. Where in E. P. school be Kept near M. H. 12 weeks & new House of Thos. Hallaway 10 weeks — when in W. P. near house of Mr. John Howland 12 weeks near house of Benjamin Crocker 14 w. 3 days & near house of James Lovel Jr 4 w 4 days — [illegible]

arrangement for 4 yrs.
Mar. 13, 1733 Edwd Sturges chosen Constable & declined. Voted, that Selectmen summon him to give reason if any there be why he don't pay his fine for not serving".
Major Thacher, Serj't Smith David Crocker Selectmen (5 for some yrs)
p. 49 "Schoolmaster be desired to refuse to entertain or instruct any child whose parent, master or guardian does not provide proportionate share of wood or money to procure it"

Town meetings sometimes held in East & West meeting houses for specific purposes (see p. 49)

Mayy 23, 1733. Shubal Gorham appointed to procure assent of Gen. Ct. to sale of lot reserved for support of schools & proceeds to be invested on land security for same purpose
(53) Mch. 13, 1733. that common marsh be improved towards support of Town's poor
For several years Capt John Otis & Major John Thacher, moderators of Town meetings—
(see page 46 — over for doings of several yrs here entd there by mistake) over
Mch 12, 1739 Premium of 4d per head on crows, jays & blackbirds killed by inhts of Bl. bet. 10 April & 10 June
May 21, 1740 at West M. H. Col. Gorham Representative On same page entry of meeting 12th June 1740 at East M. H. when "Major Sylvanus Bourn Esq. chosen Representative"
(Col. Gorham resigned or deed?)
1740 John Gorham, David Crocker, Robt Davis Selectn
1740 1st mention of Cornelius Crocker (as Grand Juryman)
1741. S. Bourn Rep. 2d time at West M. H. May 13
& 1742 S. Bourn Rep at East M. H. June 24.

Oct 19 to build house (for 30 pounds) for Saml Phinneys use at West end as one of the poor of the Town: house to be for Town's use from time to time." House, however, cost 41:8
March 11, 1741. Ebenezer Bacon Constable — John Otis Esq Town Treasurer several yrs.
Joseph Lothrop, James Otis, David Crocker Esqs. Com to consider expediency of Towns making a bridge across road near Mr. Benj. Marston's mill on account of breach made by the water from mill pond & also what shd. be done to promote passage of alewives above the dam, according to law.
p. 86 charges of Town abt poor & sick Indians & Rep for 1742 to memorialize Gen. Ct. for reimbursement & security agst future charge
Dec. 16, 1742 Benjn Marston, one of 3 school agents
March 21, 1742 30 pounds to Clerk for transcribing records out of Old Book. James Otis 3 pounds, John Sturges 4 pounds, Joseph Lothrop 3 pounds for comparing the records.
1743, Robert Davis Rep. by major part of ye Electors present

1743 p. 97. James Otis Chn of town reported scheme for school round the Town 4 yrs. 5 mos

Dec. 17, 1744, Col John Thacher Moderator

p. 102.

Mch. 18, 1744 — voted that Benjamin Blatchford's daughter be under ye regulation of ye Selectmen as to a Doctor—Jas. Otis Chairn

17th May 1745 Voted to remit certain taxes to Ebenr Bacon, "late constable, as desperate."

Mch, 1747 — 10 s. for one yr. for every red fox killed, ears brot to Selectmen

p. 114 Shubael Gorham & Elisha Lumbart give land for way from Lt. Ebenezer Leyes land to ye Old try House & so to ye Shoar at South Sea" Mch. 21 1747 Edwd Bacon's name first appears as witness to these deeds 36 yrs aft

May 16, 1748 Col. Sylvanus Bourn, Moderator.

May 16, 1748 Voted 10 pounds old Tenor to Mr. Marston in full for Herring passage

July 6 " leave for Elisha Lumbert to build wharf at his own cost. and end of new way at West side Hyannos Harbour, Inhts to land themselves and goods, wharf free

p. 124. Col Otis agent to petition Gen. Ct. for act restraining "rams within this town from time to time, so that Lambs may come sooner" — Edward Bacon Juryman 1749 — 37 yrs.

March 18, 1750, on question "whether a man's being a non-elector is a bar to his being chosen Town Treasr" voted NO. Dissent recorded by order of Moderator Col. Bourn, of Col. Otis, John Otis & 21 others—

Isaac Hinckley. Town Clerk—

Jan. 4, 1750 William Lovell gives Town land for burying ground on South side on West side of way Northward of Jacob Lovell's home land—not signed though T. Clerk certified "Compared"

"Informers of Deer, Packers of fish, Surveyors of flax &c &c chosen at different times — Abt. Common Fields — Sandy Neck Wood Cutter.

Mch. 14, 1753 "Voted by the town that they will give to Nathll Ewer forty shillings lawful money towards his charge in sending for Doctor How to his son Silas, in case the Doctor is sent for — Also, it is desired by the Town in case the Doctor comes that the selectmen apply to Lieut. in behalf of Joseph Ewer and use their discretion as to improving of him."

1754 Robert Davis chosen Town Clerk

Silvanus Bourn, Joseph Bish Jr, Daniel Davis selectmen in 1752 & several years after.

1754 (p. 145) By law about colouring stray sheep with three distinct strokes across back & ear marks to be entered with Town Clerk

Aug. 22, 1754 "voted that that part of the Excise bill which relates to ye private consumption of wines & spirits distilled in their colonies o

salutary and necessary— passing affirmative—
page 148 settlement of schools—Col. Otis chn of Com
1756. Daniel Davis, Edward Bacon, Isaac Hinkley Jr. Selectmen (1757 & 1758-9) John Gorham Esq. Moderator (often about this time "Voted, that Mr. Marston shall have liberty to catch one quarter of ye alewives that may be ordered for marketing for this year for his own use for service done to let the fish up to spawn & for that he is to take care to let them down".
(p. 154) "Voted that Cornelius Dexter be under ye immediate inspection of Mr. Isaac Hinkley Jr & in case he misbehave ye selectmen are directed to regulate him as ye law Directs."
May 5, 1756 John Bear chosen petit Jury Superior Court.
July 21, 1756 Josept Otis Esq. chosen Moderator
Voted Surveyor in ye West Precinct be Desired to take proper aid to clear out ye Rubbish & founderous remains over Mr. Marston's waste water so that it may not be so dangerous & the selectmen shall make application to Ct. G. S. for a way round by Joseph Goodspeed's
Edward Bacon chosen Representative 1757-8-9-1762.
Sept. 29 (after Otis prob. chosen of council) 1772-73-74 — 1778-79 —twice (March 18, 1777 — Mch. 13d 1779 do. 3)
Do Moderator (Sept. 27, 1757 Jan 6, 1762 — Aug 23 1774, Jan 4 1775
Town Clerk 1764-5-6-7-8
Selectman 1756-7-8-9-60-1-2-3—
At town meeting 1769 — no office except to settle with Town Treasurer
p. 160 Disposition of Schools for 4 yrs & 5 mos. 1757
Nov 25, 1758 "voted to dismiss Mr. Benj Marston's request Respecting his having any part of the priviledge of the herring brook near his mills.
same action 1759 (p. 167)
Voted to inspect Selectmens accts for Extraordinary Expenses & Services about the small pox & report
certain of those accts allowed p. 164
Among others acct of Sheriff Gorham(?) 8s
same meeting, Cornelius Crocker & Orris Bacon to "make a fence round East burying ground adjoining meeting House — of boards & white oak post on fore side and the posts and rails now there to be used to amend the back side"—C. Crockers bill pd (p. 168) 9:1:4
2 shillings to any one killing a Red fox, old or young (167)
Voted to fence burying ground in East end of town, near Ebenezer Bearse's Daniel Davis, Edward Bacon, James Otis, selectmen of Bl1760 — idial Board & 1761
Joseph Otis, surveyor of ways.
Otis many years chn
"Regulators of the Herring Brook" p. 172
Informers of the breakers of the Deer Act

Committee to answer petition of Towns in the County, Respecting the lessening terms of Court see Memorial among papers by E. Bacon—Jas Otis, David Gorham, Ed. Bacon.

1760 Benj. Marston to have 1/4 herrings, if he can free passage way up & down & keep his dam in repair between the Ponds & erect same if any accident happen thereto the ensuing year.

Oct. 21, 1760 voted to have two school masters, one in West & one in E. Precinct Nymphas Marston at al Com. in West & Edward Bacon Chn of Com, in East

1762 Jas. Otis, Edward Bacon, Nymphas Marston, Selectmen Town Clerk, Daniel Davis — Ib. in 1763

The "School lot" was near the beach p. 183

Burying grounds looked after; to be looked after; to be kept fenced &c— at East part and at the Highannus' "voted that no person shall be entitled to any bounty for any young fox taken out of the old foxe's belly"

Parker Lumbert left land to the poor of the town p.p. 184-192

Sept. 20, 1762 (p. 189) Edwd Bacon chosen Rep. Jas. Otis Mod. chose 12 Sheep yarders — Voted to employ 2 school-masters (Jas Otis, Isaac Hinkley, Edward Bacon, Nymphas Marston, Capt Jesse Lewis, Dea Robert Davis chosen agents). Every person shall bring his ear mark to record before Nov. 15th next — To choose a com. out of town to settle bounds of school-lot with particular men's land adjoining"—

"Voted that the Selectmen inquire into the circumstances of Jnanah Bearse and take care of her if they think it necessary and inquire into the matter of the Estate her late husband left her for her support & to see if the same be not embezzled or lost."

Jas. Otis, Edd. Bacon & Nym. Marston to repair great Bridge & Bridge near Mr. Marston's,

May 12, 1763 & May 17, 1764, Cornelius Crocker chosen Rep

Nov. 25, 1763 Coll Otis Mod. Voted to raise 133:6 to defray charge of building & repairing Great Bridge Col. Otis agent for the purpose

200 pounds for other town charges— To employ 2 schoolmasters

1764 selectmen Isaac Hinckley Nymphas Marston Daniel Davis

April 13, 1764. Nymphas Marston Esq. Moderator

p. 201 Marriages solemnized by Rev Jos Green

p. 201 Marriages solemnized by David Gorham Esq.

p. 201 Marriages solemnized by Rev Oakes Shaw

& notices of intention pp. 202 207

Sturgis Gorham's mark 1764 & 1765 (203) Ear marks of cattle &c Jos Otis Esq a hole in the left ear & 2 halfpennys in the Right one on side the ear and some have a slope in ye right ear besides the two half pennys Sept 26, 1782

Vol 2 pp. 206-7 &c, notices of marriage, birth, posting cattle, &c

lost or found, notices of attendance on Baptist meeting &c &c .

P. 304 marriages by Col. John Otis 1711 --1724

P. 311 Isaiah Lewis Green, born Dec. 28, 1761, son of Mr. Joseph Green Jr.

Vol. 3 "Barnstable Town Book, 1765

March 7, 1765 Col. Otis Moderator June 18, Danl Davis Town Treasr in room of Rob. Davis decd

& 1766-7 Daniel Davis, Eli Phinney, Mathias Fuller Selectmen Edward Bacon, Town Clerk Surveyors of ways, Col Otis, N. Marston, 2 of 5 Surveyors of wheat, of whom Eli Phiney one

Nymphas Marston Rep. 1765 & 1766 E. Bacon & Jas. Otis on various committees-

to take care of the severall burying places in Town. Mr Oris Bacon Old burying place in East Precinct Mr Thomas Allyn for the burying place near Job Howlands Mr Nath Howland East burying place at the South side. Mr. Saml Linell at the Middle. Ensign Benjamin Lombort, at the West end on South side. Cornelius Lovell

(Jas, Otis Moderator)

Oct. 9, 1765 "Voted, that the Selectmen take the town stock of powder, bullets and flints out of the hands of Deacon Davis Executrix & replace it in safe hands for said Town's use, where the powder can be shifted from time to time, in order to Keep it good, they taking a proper Rec't for Said Town Stock."

"Voted, to Chuse a committee to draw up some Instructions for Nymphas Marston Esq. The Towns' Representative at the present critical Conjuncture; said Commitee to report to the Town at an adjournment of this meeting. — Voted that David Gorham, Esq, Messrs. Daniel Davis, Mathias Smith, Eli Phinney, and Deacon Timothy Chipman be a committee for this purpose & then the meeting was adjourned to Wednesday next at 3 o'clk afternoon

May 20, 1766 — Col. Otis, Ed Bacon & Saml Linell to Exchange to exchange Westerly end of the School Lot (on the South side of this Town, for a piece of medow & some skirts of upland adjoining. —

Oct. 20, 1766 "The committee on the Rebuilding the house on the Town's land lately Parker Lumbart's reported it was their opinion that it would be for the benefit of the Town to rebuild said house, which report was not accepted and the affair was dismissed" Com. Col. Jas Otis, Ed Bacon & Messrs. Cornelius Crocker, Adino Hinkley & Ebenezer Jenkins

1767, March 11, "voted to continue the bounty of Two Shill per head for Killing Red Foxes In this Town as has been of late used —

Voted, that John Bush be allowed to Draw out of the Treasury Twenty Shillings in full for one year's board for the French people to this day—

2 bills of Dr. Horsey's allowed do.

21:1 — 19:1
1768 & 1769-70 Selectmen James Otis Capt. Daniel Davis Eli Phinney Town Treasurer still Daniel Davis Saml Jenkins Town Clerk in 1769 & 1770
in place of E. B.

Col. Otis, Edwd Bacon & others appointed (Vol. 3 p. 17) to build a house for poor on land late Parker Lumbart's to 26 ft. square & one story high
"On a vote being called for to Know the mind of the Town whether they will come into any measure to promote industry, economy & manufactures among us, it passed in the negative." Col. Jas Otis Moderator, elected Rep. &c

p. 18. "At a Town meeting named and held on Wednesday the 28th of Sept. 1768, David Gorham Esq. Moderator: In order to Know the Towns mind whether they would send one or more persons to joyn a committee at Boston to consult what might be thought proper to be done Respecting our Publick affairs &c. agreeable to the warrant on file, and after considerable debate on the affair, sd meeting was adjourned to Wednesday the 5th day of Oct then next following, At said adjournment the Inhabitants being met and hearing said committee, was broke up Did not act at all in the affair and the Moderator declared sd. the meeting to be over &c—".
Jan 12, 1769. Poor house accepted John Crocker Jr put in charge of poor to be sent there. wood to be cut for their use off poor for, garden spot to be marked out and fenced & to keep a cow there for the use of the poor

May 8, 1769 "voted that the selectmen cleath & cleanse Silas Phillips & hire him out at their discretion Oct. 26 1769 voted, "that the inhabitants above the wood lots have liberty to draw their proportion of money laid out for schools & disposed of the same in Schooling, as Kink proper."
Meetings more frequently held West M. H. than in the E. M. H. Meetings about schools in the fall—

Red fox bounty of 2s per pd. and one copper per crowes, blackbirds & jays next spring.

March 19, 1770 Meeting at E. M. H. adjourned to (?) at Corn. Crocker's house. by Moderator, Col. Otis.
John Crocker Jr. allowed for care of poor 24:17:1 & meeting adjourned to 26th Mch. at W. M. H.
p. 29 — Bound between Mashpee & Bl. Controversy settled by Jas. Col. Otis, Edwd Bacon & Daniel Davis for Bl

Aug. 9, 1770 Daniel Davis chosen representative in room of the Hon. James Otis Esq. who was elected to his Majestys Council. Dan. Davis in 1771.
March 7, 1771. Selectmen James Otis Nymphas Marston Daniel Davis Constable Eli Phinney who refused & was excused.

Col. Otis & Bacon on a variety of Coms

Voted, that there may be a school house set up partly on the Highway against the Old Burying Place in Barnstable on the North side of the way agreeable to what was inserted in the Warrant.

Voted, to allow Mr. Josiah Crocker the sum of six pounds for his disappointment in not keeping school six weeks in the year 1769

p. 37 Agree't about bank for foundation of Great Bridge

Nov 7, 1771 Town voted to raise 285 pounds to pay Town's debts & maintain the poor & one grammar schoolmaster

Voted to have one common school only. Voted not to raise any bounty on crows &c. for the present

March 24, 1772 & 1773— selectmen Daniel Davis Esq & Treasr Joseph Otis Nymphas Marston Josiah Crocker Town Clerk Col Otis Moderator Ed. Bacon on important Com—to W. M. H.

March 10, 1773, "Voted that Col. Otis, Daniel Davis Esq Edward Bacon, Esq Nymphas Marston Esq; Cornelius Crocker be a committee to take under consideration the request of a number of freeholders, (who have set forth that our liberties are encroached) our rights as stated by the Committee of Correspondence of the Town of Boston and the infringements of the same & make report at the adjournment of this meeting" Meeting adjourned to 22d Mch at 2 P.M. at West M. H. when voted "to add four more gentlemen to the Committee who are to take under consideration the request of a number of respectable freeholders &c and report at May meeting. Then was added for sd. purpose Mr. Eli Phinney, Major Otis, Ebenezer Jenkins, Capt. Eben Smith

Mch. 10, 1773 "Voted that Cornelius Crocker & Shearjashub Bourne have liberty to set up a chaise house on the meeting house hill in the East Precinct sufficient for two chaises with two horses tackled:"

May 1, 1773 Report of Com. appointed at March meeting was read & accepted. Col. Otis Moderator voted that the aforesd report be for instructions to our present Representative

Voted that the Town Clerk deliver an attested copy of the sd report to sd Representative and that he cause the same to be printed in the publick newspapers"

Nymphas Marston's account for repairing Bridge at Marston's mill (as sole agent) allowed 15:4

(p. 51) Nov. 10 1773. Town voted not to accept report of Col. Otis, Esqs. Marston, Bacon, Annable, Davis, Eli Phinney, Maj. Otis, Joseph Bursley, Edmund Hinkley about management of schools — Reconsidered its vote appropriating 133:6:8 for schools, and "voted not to raise but eighty pounds for the present year for schooling but to procure two grammar school masters.

Voted to allow Mr. John Lewis for Sunday service, it being the sum of eighteen shillings and ten pence 18:10

March 16, 1774 Col. Jas Otis Moderator
Daniel Davis Joseph Otis Nymphas Marston selectmen
Town Treas, Daniel Davis
Town Clerk Josiah Crocker

May 17, Col Otis Modr E. Bacon Rep.
"Chequaquit" in Town Records, p. 58

Sept. 21, 1774 Col. Otis moderator, Daniel Davis was chosen Representative & Hon. Jas. Otis, Major Otis, Eli Phinney, Dr. Abner Hersey, 1st time in office, Mr. Joseph Hallet were chosen a Com. to draw up instructions to him & report sd p. 60 vol. 3. Report made Sept 26, 1774 (Public Papers)

Com. to join with Com's of other Towns to prevent disorders & of correspondence Oct 12 1774 Col Otis Mod. were James Otis Major Otis, Danl Davis, Dr Abner Hersey Messrs Eli Phinney, Joseph Hallet & George Lewis to be chosen by papers and four to make a quorum

Jan. 4 1775 Col Ed Bacon Mod. voted not to pay taxes to Harrison Gray nor H'y Gardner till Town orders.

"voted, that the assessors make return to Harrison Gray Esq as usual."
"Voted, that the former constables who have any money in their hands for a province tax which was made before March 1774 that they shall Keep the same in their hands till further order of this Town & the Town will indemnify sd. Constables."

"The question being put whether the town will purchase any small arms, it passed in the negative.

"The question being put whether the Town will purchase any further supply of ammunition but what is already provided, it passed in the negative."

"In respect to encouraging minute men, the Town declined acting."

"to choose a Committee of Inspection to see that the association of the Continental Congress be carried into Execution, so far as it respects Imports & Exports only, the acting according to the serveral times fixed in the association.

"Then were chosen for the above Purpose Col. James Otis, Col. Bacon, Esq. Davis, Esq. Marston & Major Otis.

"Voted to Refer the appropriation of the County Congress' Resolves to next March meeting. The Town declined to send any person to the Provincial Congress."

"At a Town meeting legally warned & held at Barnstable on 24th day of January 1775, the Hon. James Otis Esq was chosen Moderator. Voted, to send a person to the Provincial Congress to be held at Cambridge on Feb. next and Daniel Davis Esq was chosen for sd purpose."

March 24, 1775 selectmen Daniel Davis & Town Treas. Joseph Otis Nym-

phas Marston wardens, Deer Reeves &c. Josiah Crocker Town Clerk

"At a town meeting legally named & held on the 25th day of April A. D. 1775 at the East Meeting house in said Town, the Hon. James Otis Esq. was chosen Moderator. The following business was transacted, agreeable to the warrant on file.

Voted, To purchase a number of small arms, to be disposed of as the Town shall think proper.

Voted, to purchase one hundred & twenty small arms.

Voted, To raise money to purchase ammunition to be added to the Common Stock"

Voted To raise the sum of three hundred pounds to purchase small arms and ammunition, to be disposed of as the Town shall think proper.

Voted that Daniel Davis Esq. Col. Joseph Otis & Mr. Eli Phinney be a Committee for to purchase arms & ammunition & hire the money for ye Town's use.

Voted, To leave it to the discretion of the above Committee about disposing of the arms & ammunition.

Voted, that three military watches be settled in town, till further order of this Town, without any charge to the Town.

That the Military watches be under the direction of the several Captains, viz. James Davis, Ebenezer Jenkins, Benjamin Lumbart.

Voted, that the Constables who have any money in their hands or to be collected for a Province Tax, that they collect & pay the same to Henry Gardner Esq.

That Capt Willn Taylor, Capt. James Davis, & Daniel Davis Esq be a committee to confer with the Committees of Yarmouth & Sandwich about setting a post between here & Boston.

Voted, not to give Esq. Davis any instructions.

Voted, not to add any person to the Provincial Congress"

Voted to allow John Crocker's account for sundry supplies for the poor — 20:11:8

Thus endeth the business of the Day"

At a Town (Meeting) Legally named & held at the West meeting house in Barnstable on ye 25th day of May 1775 the Hon. James Otis Esq Moderator — the following business was transacted, agreeable to the warrant on file.

Voted, to send two members to the Provincial Congress to be held at Watertown on ye 31st of May instant and Col. Joseph Otis & Daniel Davis Esq was chosen unanimously for said purpose.

Voted, Thall persons refusing to attend military watches be proceeded with agreeable to the law of this province in that case made and provided.

At Town meeting in East M. H. July 6, 1775 for the choice of Representative, the town voted to send two, and Daniel Davis Esq. & Col. Joseph Otis was chosen by the ma-

jor part of the electors present. Daniel Davis was chosen Moderator. Voted, to choose a committee of Safety, and Capt William Taylor Deacon Jonathan Crocker, Messrs John Lewis Joseph Hallet Eli Phinney, John Crocker Jr. and Samuel Crocker, were chosen for said purpose.

Voted to choose a committee to draw up instructions for the Committee of safety and report to the Town immediately & the selectmen were chosen for said purpose. Voted to excuse Daniel Davis Esq. from serving on said Committee and Capt. Sturgis Gorham was chosen in his place. Committees report was accepted ie. "That this Committee or the major part of them be instructed to give passes to such vessels as may come into this harbour (1st time) in stress of weather or on business to go out again if said Committee safe for them to depart & also to give passes to such persons as shall want to go out of the harbour of this Town with vessels on any business that they shall think proper for them to go upon, and also for Committee to determine when any person shall be liable to pay a fine for not attending his watch when named properly and to settle all other disputes that may be layed before them by any aggrieved party That shall not interfere with the recommendation of Congress — Voted, that the selectmen be directed to look into the condition of the town stock and if there be any deficiency, to make it up"

29 Nov, 1775 at East M. H. Danl Davis, Moderator—

Voted, to reconsider the votes that we passed last April for releasing the sum of three hundred pounds to purchase arms & ammunition — To make an addition to the town Stock of Powder — To purchas three & a half Barrels of Powder to be added to the Town Stock & that the Selectmen do warehouse the same.

March 5, 1776, Selectmen Daniel Davis & Treasurer, Nymphas Marston Ebenezer Jenkins. Josiah Crocker Town Clerk.

voted not to choose Wardens or Tything men.

Com. of Correspondence, Inspection & Safety. Dea, Crocker, Sam Crocker John Lewis, Eli Phinney Joseph Hallet

Com. to state "grievances [illegible] Town labour under in general, & [illegible] persons are taken by an armed force and any of them carried out of the County for tryal, without first [illegible] examined by the Committee of safety & make report to the next Town meeting in order if the Town shall think proper, they may present a humble petition to the General Court for Redress"

Then were chosen Eli Phinney, [illegible] Marston, Capt Wm Taylor, Esq Daniel Davis, Capt Ebenezer Jenkins, Capt. Sturgis Gorham and Mr. Samuel Crocker for the above purpose.

22d May, 1776. Daniel Davis was chosen Representative. He was al-

so Moderator.

Voted, that no corn be carried out of Town (that is raised in the Town) by water

voted, to leave the conduct of Mr. Scudder's affair to the Selectmen

Committee reported that was appointed to state the grievances this Town labours under and the Report was accepted.

Esq. Marston, Eli Phinney & Ebenezer Jenkins were appointed to petition the General Court for removal of grievances.

voted, to allow Edward Bacon, Esq Acct for attending the General Court in May 1774, it being eight Pounds, fifteen shillings

Voted, to Excuse Esq. Marston from serving on the above Committee and Capt. Sturgis Gorham was chosen in his room

Voted, That the Selectmen be directed to deliver Peg to Mifs Russell

Voted — To adjourn the meeting to the Third day of July next to receive the petition the Committee were to draw for the removal of grievances.

At the adjournment, July ye 3d 1776, Town being again met, the Moderator being absent, Esq. Marston was chosen Moderator.

The committee who were to draw a petition to the General Court for removal of grievances the Town labour under and report to this meeting, reported.

Voted, to hear Col Otis's apology.

Voted, not to hear that part of his apologie relating to Abigail Freeman & the Crocker quarrel

Voted, to accept of the report of the above committee.

Voted that Mr. Eli Phinney & the Hon. Danl Davis Esq. be agents to present the petition for removal of grievances to the General Court, and that Town Clerk give an attest draught of the petition to Mr. Phinney

Voted, to choose a Committee to correspond with the Committee of other Towns for the redress of grievances and Capt. Jenkins, Esq Marston & Mr. Joseph Davis were chosen for said purpose.

Selectmen reported that they had offered old Peg to Mifs Russell & Captn. Hinckley heirs & they refused to maintain her.

Town meeting at East meeting house June 25, 1776, Eli Phinney was elected Representative in room of Daniel Davis, elected Councillor. Mr Phinney accepted, having been waited on by a Committee — George Lewis, Nathan Jenkins & Silvanus Hinckley. Esq. Marston chosen Moderator.

Voted, Not to give any instructions to the Representative with respect to Independence

Voted, that Miss Hetrerways house be cleaned & she be pd. for her trouble in moving. Also to offer Peg to Capt. Hinckley heirs & if they won't support her, the Selectmen are to take care of her

Meeting July 22, 1776. Esq Marston Moderator

Voted that the Town will not take upon them to set a watch at Hiannas.

Voted, to read the vote of the Town of the 25th of June last, respecting Independency.

To read Capt Gorhams request to the Publick & Protest of Col. Otis et al.

At Town meeting at East M. H. July 29, 1776, Danl Davis Moderator. To raise by hiring 173:6:8 with interest for one year (except certain small sums already advanced by individuals) to be paid to 13 able-bodied men to serve in the army of the United Colonies at 13:6:8 in addition 7 pounds granted by the Colony.

Oct. 9, 1776, at West M. H. Danl Davis, Moderator was given consent of Town to House & Council forming a Constitution to be made publick before ratification

voted to have only one grammar school

Voted, to receive the powder Esq. Davis has purchased for this and to allow his acc't for the same, it being 15 pounds

17th Dec. 1776. Danl Davis Modr

Voted that Selectmen be directed to offer 20 shillings a month to each soldier & non-comd officer enlisting for 3 mos. besides what is given by Gen. Ct. one month's pay when he marches, 2 months pay at expiration of 3 mos. service.

Town Treasurer shall hire the money

March 18, 1777 selectmen Daniel Davis & Town Treasr Nymphas Marston Capt Ebenezer Jenkins. Josiah Crocker Town Clerk

Com. of Cor. & Inspection Daniel Davis Capt Ebenezer Jenkins. Capt Sturgis Gorham, Cop. Saml Crocker, Mr. John Lewis.

Voted, to choose a Com. to meet in a county meeting in conjunction with Coms. from other towns to consider the state of the country & petition the Gen. Ct. as to County grievances —which is the guardian of the rights & liberties of the people — Daniel Davis, Edward Bacon, Nymphas Marston. Capt Ebenezer Jenkins Com.

Apl 15, 1777 Capt Ebenezer Jenkins Moderator — Chose a Com. of nine to wait on Com. of Gen. Ct. at Sandwich, desiring them to come to Barnstable if possible, and to lay before them difficulties of the Town a number of persons therein, to support Town's petn petition & swer memorial in opposition. Com. were chosen by paper, viz. con. Nym Marston Mr Daniel Capt. Prince Gorham, Ebenr Jenkins Sturgis Gorham. Saml Crocker, John Lewis, Mr. Jos Blish Jr; added Com. Dea. Jona. Crocker & Jacob Lovell

May, 18, 1777. meeting at West M. H.

Voted, that Town will strictly adhere to the act for preventing monopolies & oppression and that they will use their influence that the same shall be carried into execution within this town.

Voted, that the Town raise four-

teen pounds for each man that shall engage for three years and ten pounds for each man that shall engage for ten months

May 20, 1777 at East M. H. Ebenezer Jenkins chose Representative. Danl Davis was Moderator. "On a motion made and seconded whether the Town would give their Representative Instructions to proceed to the settlement of a Constitution, agreeably to a Resolve of the General Court of the 5th of May currant, the question being put it passed in the negatives by a great majority.

Capt. Saml Crocker, Edw Bacon Esq Capt Saml Hinckley, Jos. Blish & Capt. Saml Gorham chosen Com to Micah Hamblin, Barnabas Chipman, Thomas Crocker, Danl Basset & Nathl Lothrop comes to procure men the Continental army.

y 13, 1777. Town met & adjed from East M. H. to house of Julius Crocker, where report of to instruct was read and accep

To Capt Ebenezer Jenkins.

this Town did, on the 20th day May make choice of you to represent them in the Great & General Court or Assembly of this State, appointed to be held & Rept. at the State House in Boston on the 28th day of the same May & at their several sessions the ensuing year.

Notwithstanding our reliance on your wisdom, prudence & sound judgment in all matters that may come under consideration in the House of Representatives in the course of the Ensuing year, yet as the times in which we are fallen are difficult & Distressing, we doubt not but that some instructions from your constituents will be very agreeable to you and as the settlement of a form of civil government will probably come under your consideration, we advise and instruct you, use your utmost endeavours & influence that in such an arduous & important undertaking, Everything be done with greatest caution & deliberation — and as the other great affairs of Government in this time of public distress & danger may probably take up by far the greatest part of the time of the General Court in providing for the safety of this and other the United States of America and for the annoyance of the common enemy, we are therefore naturally led to imagine that if the settlement of a plan of civil Government should be attempted by the General Court, so many unforseen interruptions must take place as will give the General Assembly much trouble and delay in that arduous undertaking: we are therefore of the opinion that it might be the likeliest method of settling such a plan of Government for the future as might not only be done with the greatest despatch, but might also give the greatest satisfaction to the good people the inhabitants of this state if the same or a similar plan to that lately Recommended by many of the Towns in the County of Worcester, should be adopted.

There. we instruct you to use your utmost endeavor and influence that it be recommended by the General Court to the several Towns or Counties in this State, as soon as it may be to choose delegatee to meet in Congress at such a place as may be judged most convenient, for the sole purpose of forming a plan of civill government for this state; the same when by them compleated to be lade before their several constituents for their approbation or amendment, and when the sense of the several Towns in this state on the aforesaid proposed plan can be fairly and fully had (suitable time being allowed them therefor) the same, to gether with the proposed plan of Government to be recommitted to the aforesaid delegates, that so out of the whole of the materials so collected they may be able to settle a plan for a permanent Constitution as nearly as may be to the sentiments of the whole people, at their second meeting for that purpose — But if it should appear to said Congress at their said Second meeting when the Sentiments of the Good people of the State has been thus fairly & fully collected that alterations and amendments are necessary to be made, then and in the case we wish the same to be laid before their constituents the second time for their consideration and sentiments thereon before it be returned to the Genl Court for their approbation & Confirmation — These hints, Sir, we have thought proper to give you which we ardently wish you to peruse for the purposes abovesaid, in which and in all other the important affairs of Government that must come before you, we sincerely wish you the Divine guidance and direction — a prosperous journey and a safe return. dated at Barnstable ye twenty third day of May AD. 1777 SAMUEL CROCKER per order"

Ebenezer Jenkins, Clerk pro tem.

Meeting at E. M. H Ny Marston Modr

Voted to have one grammar school and to raise 400 pounds for Town charges present year.

Chose as a Committee to supply the families of soldiers that are in the Continental service with necessaries, agreeable to a resolve of the General Court, Messrs John Lewis, Micah Hamblin, Sturgis Gorham, Joseph Bursley, Thomas Cockey & Joseph Hallet

Voted, to choose a Committee to draw up a petition to the General Court relative to the act for calling in the State's money, it being grievous and alarming to the people. Committee chosen, were Esqs. Marston & Davis & Mr. Joseph Davis, whose report was accepted and forwarded to the Representative to support

Voted, that Molly Lovell, Rebecca Adams & Munroe's wife are left to the discretion of the Selectmen.

Meeting at E. M. H 23d Feb. 1778 N. Marston Moderator.

Voted that selectmen & Cour. Cor

espondence be directed to enlist the
en that are wanting to make up the
Town's part of the Continental ar-
y for two years if they can, but if
hey cannot, they are to enlist them
or 8 months.

To choose a committee to hire under
irection of aforesaid, ie. Thomas
Crocker, Micah Hamblin & Isaac
Bacon.

That the Selectmen and Com. of
Correspondence procure the money to
aise the men, to be provided for in
xt Tax list.

March 24, 1778, at Daniel Davis Mod
Selectmen & Com. of Cor, Inspec-
ion & safety, Danl Davis, also Treasr
Nymphas Marston Capt Ebenr Jen-
kins Town Clerk Josiah Crocker
Capt. Sturgis Gorham had leave to
build a wharf 40 ft. long 30 wide at
Town's Landing, Lewis Cove at the
Hannas

That the Selectmen & Com, be di-
rected to find out how much the
Town is deficient in making up the
Quota for the Continental army & to
procure so many men as they shall
find wanting on the best terms they
can, to hire the money which is to be
raised in next town tax.

Selectmen shall proceed agreeably
to the resolves of the General Court
for procuring the Soldiers clothing.

Voted to add more men to Com.
that were to supply the families of
Continental soldiers with necessaries,
agreeable to a resolve of General
Court for sd. purpose ie. Mr Benjn
Cobb to supply Mr. James Lothrop's
family
Mr Jethro Thacher to supply family
of Benjn Backford
Mr Thomas Annable to supply family
of Jabez Hinckley
Mr Ebenezer Hinckley to supply fam-
ily of Benj. Lumbart
Dea. Job Crocker to supply family
of Micah Deagle
Mr. Daniel Carpenter to supply fam-
ily of Screech's wife
Lieut Joseph Bish to supply family
of Nathan Fuller

Adjourned meeting April 1st Edwd
Bacon Moderator.

Voted, not to act on 4th Article in
Warrant respecting coming into any
measures for the raising of men for
Guards to the Troops of the Con-
vention at Cambridge, further than
what is mentioned in the resolve of

At Town meeting held at West M.
H. April 8, 1778 Nym. Marston Esq.
was Moderator. "Voted that a Com.
be chosen to take into Consideration
an affair relative to a straggling per-
son & report. Then chosen for
above purpose Esq. Bacon, Capt
Samuel Hinckley & Samuel Crock-
er, who made their report & the
Town voted to accept of the same.
Voted that Col. Edward Bacon &
Capt Jenkins be a committee to lay
the same before the attorney Gener-
al for this State or the States Attor-
ney for this County. The report is
on file"—

May 12, 1778 at West M. H. Col. Ed-
ward Bacon & Capt. Ebenezer Jen-
kins chosen Representatives when

meeting was adjourned half an hour and Ebenr Jenkins being excused at his own request, Capt Sturgis Gorham chosen in his room.

May 12, 1778 at meeting at West M. H. after choosing Ed Bacon & Sturgis Gorham Rep's, Dan'l Davis was elected Moderator. Adjd to May 14 at adjt, again adjd to next Monday at Court House at 9 o'Clock "and the Militia, both in the alarm list and Training Band be mustered at that time & place.—May 19th voted to make up the Soldiers wages that will enlist to go to Peekskill the three months, the sum of ten pounds per month, including the wages & bounty allowed by the State. Then the Town adjourned for one hour to the same place & being again met. Voted, that in case the Selectmen & Com draught the men to go to Peekskill that they shall be entitled to the same allowance as if they were enlisted as above, that is, all those that do actually go into the service.

Voted to make up the soldiers wages that are to go to Providence the sum of eight pounds per month to allow them four pounds per month besides what the State allows.

Voted, to add forty shillings per month to the Peekskill men in case they will enlist.

Voted to adjourn this meeting to Wednesday next at nine o'clock at the Court House.

At which time, meeting was adjourned to East M. H. at 3 P. M. when it was voted, to make another addition of forty shillings per month to those men who will enlist Peekskill, making in the whole fourteen pounds per month, including wages & bounty.

Voted, to choose a committee to assist the Selectmen & Com. to get the men for Peekskill and Providence & the Town will see them paid for their trouble, they making a return of their doings at the adjournment of this meeting. Then were chosen for the above purpose, Messrs Thomas Horner, Barnabas Chipman, Samuel Linnell, Benjamin Gorham Jr, Zaccheus Howland & Capt Wm Taylor.

Voted, to chuse a Committee to look into the Constitution and plan of government and report to the Town. Then were chosen for said purpose Shearjashub Bourne Esq, Capt. Sam Crocker & Capt. Prince Gorham. Then voted to adjourn this meeting to the West Meeting House on Thursday next at four o'clock.

At the adjournment, May 28th 1778, the Town being met, they made choice of Mr. Barnabas Chipman for Moderator. The Committee that were chosen to assist the Selectmen & the Committee &c. for to enlist men for Peekhkill & Providence reported that they had made trial to enlyst men, but could not get any. Voted, that the above Committee still continue their endeavors to get the men that are called for."

Voted, that Messrs. Shearj Bourne be a Committee to prefer a petition to

the Great and General Court, setting forth the difficulties attending the raising of men in the Town of Barnstable for the present services required and also showing forth the Sums of money voted by said Town to each able bodied man that will engage in said service and the continuance of their exertion for that purpose until sd. men are raised also praying for the continuation of the State Bounty and also that the fines of the Selectmen and Town may be remitted, if any failure should happen after their most vigorous exertions for effecting the same, although the set time for raising them may be elapsed.

May 28, 1778, the Committee upon Constitution & form of Government made a verbal report. Nymphas Marston, Moderator

Then the Town made choice of Lawyer Bourne, Capt. Saml Crocker & Capt Prince Gorham to draw instructions for the Representatives & report. Their report (accepted) is as follows—

The Committee, therefore, in pursuance to the Town's order, do report, that as there was a great majority of votes, to wit fifty nine against, and but ten for sd. plan of Constitution, the same must be rejected agreeable to the resolve accompanying the said Constitution and the Representatives for sd. Town be instructed not to give voice for the same until the further order of the Town.

Barnstable, June ye 10th, 1778

S. Bourne, per order

At Town Meeting at El. June 19. 1778. The town voted to make an addition of 6 pounds per month to those men that inlist or that are draughted to go to Providence, they actually performing said service

Dec. 16, 1778, at East M. 26. Nymphas Marston Moderator—Voted, to raise 1300 pounds for town charges, the present year.

Voted, to act on the request of a number of freeholders relative to a petition exhibited to the General Court against Edward Bacon Esq. Representative of this Town.

Voted, to chuse a Committee to draw up some votes relative to the above sd. request. Com. were Capt. Saml Crocker, Lieut Joseph Blish & Mr Joseph Hallet. Their report was accepted & ordered to be recorded and forwarded to Representatives to be laid before the House. It is as follows

"At a Town Meeting &c. held at Barnstable on the 16th day of Dec. 1778, the Town taking up the subject matter of an attested copy of a paper purporting to be a remonstrance & petition against Edward Bacon Esq. addrest to the Hon House of Representatives praying he the sd. Edward Bacon Esq. may be excluded from the publick Councils forever, to which paper is affixed the names of Joseph Otis Esq and twenty-eight others; after hearing all parties and duly and patiently considering the

same that it is the opinion of this community that the said paper contains the most unjustifiable & injurious reflections, not only on the political character of Edward Bacon, but on the loyal inhabitants of the Town of Barnstable.

"Voted 2d It appears to this Committee that the said Edwd Bacon Esq was elected to represent said Town in as fair, free and full a manner as is usual in this or can possibly be in any other town in this State and in as full a town meeting as is common on such occasions, he having a large majority of the suffrages of the people present at said meeting.

3. Voted, that if we had imagined that the said Edwd Bacon Esq deserved the opprobrious character given him said petition, we should have been much readier to have prosecuted him on the laws of this state as an enemy to his Country than to have elected him as our Representative.

Voted 4th That it appears to this Committee that the several charges proceed rather from an old family quarrel & was the effect of envy rather than matters of truth and sobriety or any view to the publick good.

Voted 5. That it appears to this Committee that the said petition was very unjustly and surreptitiously obtained.

Voted 6. That it does not appear to this Committee that from the beginning of the present war to this day there has been any backwardness but on the Contrary; the said Edwd Bacon Esq has appeared as forward for raising men and money for the service as any other person in Town and many more so, if possible, when the public demand has been very urgent.

Voted 7th that it is the opinion of this Commitiee that the Subject matter in said petition contained is a malicious & injurious libel on the political character of the said Edwd Bacon Esq & calculated merely to stir up strife, animosity & disorder in this Town & County & if possible, to destroy his influence in the same; and therefore pray the Humble House of Representatives to dismiss the same as groundless, scandalous & vexatious.

Saml Crocker
Joseph Blish
Joseph Hallet"

"Voted to choose a Committee for County Convention with full power to invite the other towns in the County to accede to the same & also to appoint time & place of meeting, in order to consider the state of the country at large & prepare a petition to the Great and General Court for the abatement of sd County's quota of men for public service abroad, in consideration of the situation and present circumstances of sd. County & for any other matters and things as may be agreed on by the major part of the Towns that may be so met and assembled & to

any other matter or thing consis-
nt with the public good and safe-
in general and of the County in
articular, as to them may appear
asonable and Necessary."
The Com. were Capt. Samuel
rocker, Mr. Joseph Blish, Joseph
allet, Edward Bacon Esq, Shearjash-
b Bourne Esq Mr. Eleazer Scudder
Capt James Davis.
oted that the Representatives of the
own be directed to use their influ-
nce at the General Court that the
port of the Honble Committee of
e General Court that sat at this
own to hear and settle grievances
Aprill 1777 be reviewed, acted up-
n, accepted and confirmed.
Voted to allow Nyms Marston Esq
count for cash which he advanced
r the Town in paying the soldiers
th interest for the same; the ac-
unt, being, exclusive of interest
1:13:4
page 100 various accts allowed for
vices in raising troops and for sup-
es furnished continental soldiers
milies ie. of Jabez Hinckley, Micah
gle, Enoch Crocker, Richard
eech, Benjn Blachford, Benj Lum-
rt, Daniel Vanderpool, Robert
ry for Abigail Sturgis & child,
lary Lovell and nurse, whole
mounting to 300 pounds or more.
see also page 104 for ib;
larch 18, 1779. (Town meeting) Ed-
ard Bacon was chosen Represent.
ymphas Marston elected Moderator.
electmen Edward Bacon Deacon
onathan Crocker Mr Thos Crocker

p. 105 selectmen's acct of clothing procured for army 354:10:6
p. 106 Dr. Saml Savage's acct for service to Town Poor 13:6:11
p. 106 "That the Selectmen farm out such of the poor as to them seem best"
To allow Mr James Bacon for killing foxes 1:8:0
March 31, 1779 Edwd Bacon Moderator.
voted to raise 450 pounds for one grammar & other schools for 6 mos
3 agents were chosen for the Eastward part of the Town along street
3 agents were chosen for the westward part of the Town below the woodlots"
3 do chosen for above the wood-lots"
Voted "that the guns which are in the hands of Capt Sturgis Gorham, for which he has paid the board of war, the Selectmen sell so many of them at publick auction to the inhabitants of the Town as soon as may be, so as to pay Capt. Gorham for the money he advanced & charges & no more and the guns that remain be deposited in hands of the Selectmen for Town Stock for them to distribute to such poor persons as have none on any sudden emergency, and for the people that have them to return them to the selectmen as soon as the expedition is over for which they were delivered
May 20, 1779 E. Bacon chosen Rep (as also at March meeting)
Nymphas Marston, Moderator
Voted, That the Town does not

choose at this time to have a new constitution and form of Government made. There were 56 nays and 2 yeas.

Bounty of 6 shillings on foxes (depreciation of 30 per)

Voted, to choose a committee to attempt the settlement of peace and tranquility among the Inhabitants of sd. Town and adopt some proper measures for vindicating their honor and innocence to the political fathers of the State. Then was chosen for sd. purpose Nym. Marston Esq, Brigadier Otis, Capt Sturgis Gorham, the Hon Daniel Davis Esq & Capt. Saml Crocker

voted that Esq. Davis be chairman of the above Committee.

July 6, 1779

page 110

Voted to chuse a committee to consider the request of more ten freeholders, inhabitants of sd. Town, setting forth that sundry persons among ourselves together with some others, have been attempting to undermine & destroy the invaluable right of free election & representation in the Government immediately over us, whereby our late Representative has been deprived of a seat in the Houbl House of Representatives & that the loyal & faithful inhabitants of sd Town not having as yet had opportunity either by their representative or agents specially appointed for that purpose to vindicate themselves or their late representative from those unjust & injurious aspersions & that these very in[illegible] esting matters & the State of [illegible] Town may be taken up at large [illegible] that the true reasons of the pres[illegible] difficulties now subsisting in [illegible] once happy town may be fairly & [illegible] ly stated & such constitutional m[illegible] sures adopted as the Town may ju[illegible] proper for vindicating the Honor [illegible] the Town, together with their j[illegible] rights and privileges.

Then were chosen for the above p[illegible] pose, Nymphas Marston Capt S[illegible] gis Gorham, Capt. Saml Cro[illegible] Capt Samll Hinckley and Isaac Hin[illegible] ley Esq. voted the above Commi[illegible] sit immediately & report [illegible] Town accepted their report and V[illegible] ed to chuse a committee for purp[illegible] es in the above report mentioned [illegible] that it consist of seven. Then [illegible] chosen Shearjb Bourne Esq. [illegible] Samll Crocker, Dr Samll Sa[illegible] Capt. Sturgis Gorham, Col. Da[illegible] Gorham, Nymphas Marston, Esq. [illegible] Capt Samll Hinckley. Voted to [illegible] two more to the Committee then w[illegible] chosen Isaac Hinckley Esq. & [illegible] Joseph Hallet

Voted, that the above mentioned [illegible] port of the Committee be deposi[illegible] in the hands of Capt. Sturgis G[illegible] ham till further order of the Town.

Voted, not to proceed to the cho[illegible] of a Representative

Town Meeting, March 29, 1780 p [illegible] Col. Bacon Moderator

Voted, that the Report of the T[illegible] Committee of the 6th of July A[illegible] 1779 chosen to take into consider

tion the unhappy state of this Town, be recorded in the Town Book of Records by the Town Clerk.

The report is as follows—

Att a Town Meeting legally warned & held at Barnstable on the 6th day of July A.D. 1779—

The Committee appointed to take into consideration the present unhappy situation of this town, the peace & happiness whereof having been of late greatly disturbed & injured by the unjust conduct & misrepresentation of ambitious, arftul & weak or wicked men, in consequence whereof Edward Bacon Esq, our late Representative, has been excluded from a seat in the Honorble House of Representatives in a very extraordinary manner — beg leave to report the following votes for the consideration and acceptance of the Town, subject to such alteration & amendment as may be judged proper.

In the first place voted, that notwithstanding the illiberal abuse and slander which the inhabitants of this town have so long laboured & even groaned under, in consequence of the misrepresentation of certain persons whose importance in Government they may imagine almost wholly depends upon veiling others to keep themselves & their connections in office, the Inhabitants of this Town embrace the opportunity to declare that they bear all good faith & true allegiance to the State of Massachusetts Bay in New England and shall zealously and faithfully continue to be loyal subjects of the same so long as they can enjoy its protection and their constitutional rights

Voted 2d That it is the opinion of this Town that Edw Bacon Esq. our late Representative was excluded from a seat in the present House of Representatives by the artful and unjust insinuations of ambitious men who procured a petition against our late Representative, which, together with the way and manner of his exclusion, we cannot but view as a grievance and dangerous to the very being of a free people — the just grounds and reasons of such exclusion, we confess ourselves at present wholly unable to comprehend, unless the sd Edwd Bacon Esq by any undue conduct after his election in May last rendered himself unworthy of a seat in the Honble House.

voted 3d That we have by long experience found him the sd Edwd Bacon Esq. in our best judgment to be a steady, unremitting zeal in our Countris cause & that he has on all occasions since the Commencement of hostilities between Great Britain and the United States of America been ready to afford us his best advice & assistance in raising men & money for carrying on the war with the enemy and in justice to him & to ourselves we must declare to the world, we know of no person among us, let his office or character be what it may that has shown greater zeal for the defence & safety of his country notwithstanding what may have

been suggested or declared against him by artful & ambitious men & notwithstanding his timidity previous to the commencement of hostilities, when this country was considered by many as in its infancy as to the art of war with its sling and stone & unable to contend in arms with a powerful Nation armed at all points at whose angry word even the most warlike nations trembled, but since war has hung out its bloody flag & unjustly driven by our inveterate enemies to the only alternative of flying to arms for the security of our just rights & Privileges, we must seriously repeat it, we know of no person in this Town, who has appeared more steadily & uniformly attached to his country' cause.

Wherefore: voted,4thly as the opinion of this Town that the of the sd. Edward Bacon Esq. from a seat in the Hon. House of Representatives is not only an infraction on the natural rights of men, but in its tendency & consequences does to us appear extremely dangerous to the Constitutional rights of any people who can still boast of any remaining freedom worth contending for—

Resolved 1thly That it is the opinion of this Town that they cannot do justice to this Country, to the natural rights of man, to themselves and posterity, at present proceed to the choice of a representative in the room of Edward Bacon who is said to be excluded for the present from a seat in the House of Representatives, but that a large and respectable [illegible] mittee be appointed to prefer [illegible] tablish a petition to the H[illegible] House, setting forth the true [illegible] of the difficulties now subsist[illegible] this once happy Town and the [illegible] tifiable conduct of those persons [illegible] have been the promoters & ab[illegible] of those petitioners and [illegible] of the faithful and loyal inhab[illegible] of this Town, who if they could [illegible] enjoy rights & privileges in common with their fellow subjects should [illegible] joy a happiness to them [illegible] unknown of late & equal to the [illegible] sanguine wishes & that [illegible] tee Petition the Hon. House of [illegible] resentatives as soon as may [illegible] the aforesd important [illegible] also petition the Hon. House of [illegible] resentatives that their vote of [illegible] sion of Edward Bacon Esq [illegible] reconsidered or totally [illegible] that this Town may be [illegible] at the Court by the person [illegible] own choice in whose honor [illegible] ity to this & the United [illegible] America, as well as in his [illegible] we can place the strongest [illegible] dence"

Recorded according to [illegible] compd attest

Ebenr Bacon Town [illegible]

At a Town Meeting legally [illegible] & held at the West M. H. on [illegible] ye 3d day of Feb A. D. [illegible] phas Marston Esq was chosen [illegible] rator. Then the Town proceed[illegible] the business agreeable to the [illegible] rant on file.

d, to chuse a Committee to take consideration the articles of Con- ration & perpetual union be- n the United States of America, -d on by the Hon. Continental ress and report at the adjourn- of this meeting.

d, that the above Committee con- of five. Then were chosen for purpose, Edward Bacon Esq. phas Marston Esq. Messrs Sam- Crocker, Joseph Davis and Thom- Crocker.

oted to adjourn this meeting to the nual meeting in March next.

But report in fact was given in at a town meeting in East M. H. Feb. 23d 1778 - page 83 vol. 3.

mem

To inquire ab't meeting of March 8, 1867 where vote abt promoting industry &c.

& of Sept. 28, 1768 whe' er Town will send to meet Boston Com & c. (negative both)

Instructions to D. Davis Sept. 26 1774

Instructions to Ed. Bacon May 10, 1773 Look in Gazette for.

1310